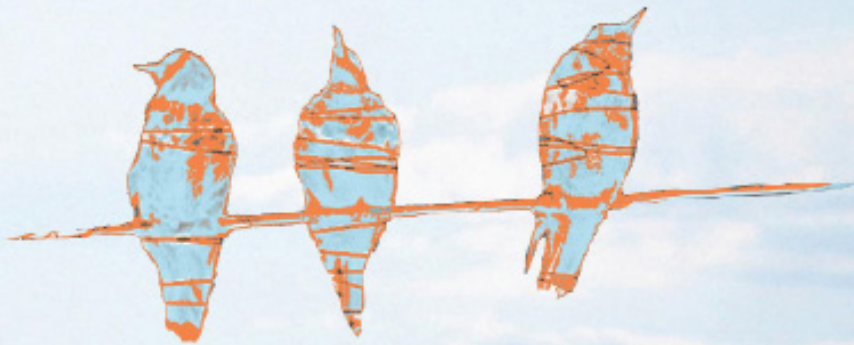


JULY 2011

dying with dignity_{nsw}



respect for the right to choose

*Over 85% of Australians believe in the right
of the terminally or incurably ill to obtain
medical assistance to end their lives*



Dying with Dignity NSW
ISSN 0813-5614

Dying with Dignity NSW is a non-profit organisation that promotes end-of-life choices.

Our mission is to lobby for legislative change that will enable terminally ill individuals who are suffering and have no prospect of recovery to be able to access medical assistance to help them die, in accordance with their wishes.

DWDnsw BOARD:

President – Dr Robert Marr
Vice President & Company Secretary – Dr Sarah Edelman
Treasurer – Mr Barry Hill

Dr Ian Macindoe – since March 2006
Mr Richard Mills – since March 2009
Mr Thomas Kelly – since April 2009
Dr David Leaf – since June 2009
Mr John Hogan – since January 2011
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Our DWDnsw Patron is Professor Peter Baume AC

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Office Administrator – Ms Gabrielle Brown

Communications Coordinator – Mr Gideon Cordover

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Dying with Dignity NSW is a Not-for-Profit Company Limited by Guarantee

Please submit articles, letters etc to:
The Editor, DWDnsw Newsletter
PO Box 25 Broadway NSW 2007

President's message



Warm greetings to all our members!

The last few months have seen interesting developments on the political front. The Liberal Party's landslide victory at the NSW election gives little cause for optimism.

With the balance of power in the Upper House being held by the Christian Democrats and the Shooters and Fishers Party, our hopes for legislative reform on assisted dying are not looking good. Nevertheless there are other more positive developments on the horizon, including in the Federal Parliament, where Bob Brown's Bill to grant political autonomy to the territories will be an important one to watch. The next few pages of this newsletter provide a summary of recent events on the Australian political scene.

Another interesting development in recent times has been in the area of film and performing arts, where assisted dying has been covered in several productions. Many of our members attended the recent screening of the award-winning documentary "**How to die in Oregon**", which was presented as part of the Sydney Film Festival. There is also the telemovie "**You don't know Jack**" starring Al Pacino, which covers the controversial life of American euthanasia campaigner Jack Kervorkian.

The issue of assisted dying is also touched on in two new plays: "**And no more shall we part**" at Sydney's Griffin Theatre (29/7 to 3/9/11) and David Williamson's "**At Any Cost**" at Sydney's Ensemble Theatre (7/7/ to 27/8/11).

Email addresses

In recent times we have started to communicate with some of our members via email. This not only saves us money, but also enables us to get messages out to our members quickly and efficiently. If you use the internet but haven't received any email correspondence from us in the last two months, this means that we do not have your current email address.

If you are in this category (i.e. haven't received any email correspondence), and would be willing to do so please drop us a line at: dwd@dwdnsw.org.au and let us know your name and email address. We promise we won't be emailing you too often!

At the same time I would also like to reassure our many members who do not use the internet that **we will always provide newsletters and mail-outs to members** who prefer to receive correspondence via Australia Post.

For members who do use the internet:

Log on to our website: www.dwdnsw.org.au for lots of interesting information and articles. The most recent media reports on assisted dying are found on the "Articles" page.

Follow us on online:



www.facebook.com/dwdnsw.org.au

www.twitter.com/DWDnsw

www.youtube.com/dwdnsw

DWDnsw will be holding our next public forum at Parliament House in Sydney on Tuesday November 15 from 2 p.m. More details will be announced in our next newsletter.

Kind regards to you all,

Robert Marr,
President

Barry O'Farrell's position



Barry O'Farrell

Premier O'Farrell has opposed euthanasia in past parliamentary debate and would be likely to do so again. In 2007 he said "Well, I think legislation shouldn't discriminate and yet, when it comes to an issue like euthanasia, you want to make sure every case is governed individually, and I think it is too hard."

Premier O'Farrell has been in politics nearly all his life and a Liberal Party member for 31 years. In 2007 O'Farrell told Quentin Dempster that he was "pragmatic, not ideological, I'm mainstream, not extreme. I'm a middle of the road bloke who has always sought to take the mainstream view of issues." With over 80% of Australians supporting the legalisation of medically-assisted dying, support for **voluntary euthanasia should be seen as "mainstream"**!

However, O'Farrell may have to take a flexible stance in his current parliamentary term, as the Christian Democratic Party (CDP) and The Shooters and Fishers Party hold the **balance of power in the NSW Upper House**. O'Farrell's Coalition will be forced to rely on the votes of these parties to pass legislation opposed by Labor and the Greens. There will be lots of political negotiating. Whilst The Shooters and Fishers Party have no policy on euthanasia, they have a very conservative supporter base. The CDP is led by the Reverend Fred Nile, who is fervently opposed to any laws that might affect physician assisted dying. The Greens MLC Cate Faehrmann has said that the CDP is "*increasingly an extreme minority, which does not represent the majority view on issues like euthanasia*".

The NSW Labor party was demolished in the March 2011 election, with the Liberal/National Coalition winning the largest proportional number of seats in NSW state history, with 69 of 93 seats in the lower house. The outgoing Premier, Kristina Keneally, stepped down as NSW Labor leader.

While the NSW Labor party under the leadership of John Robertson has not enunciated their policy on assisted dying, we do not hold out much hope of bold or innovative policy on this issue.

The Prime Minister's position?

On 4th April 2011 PM Gillard stated her **personal opposition to euthanasia**. In September 2010 she had said she felt "conflicted" about whether euthanasia should be legalised. She told Channel Ten that "I do find this a difficult question, sort of intellectually you would say well 'people should be able to make their own decisions' but ..I find it almost impossible to conceptualise how there could be appropriate steps and safeguards."



PM Gillard's stance must be seen within the context of her **MINORITY Labor government**. She is being squeezed from the left by her coalition with the Greens and from the right by the Right wing power brokers of the

Labor Party (e.g. Don Farrell and John Hogg).

The predominantly Christian Labor Right strongly opposes progressive policy on social issues such as euthanasia and same sex marriage.

On 31st March 2011 Gillard attempted to distance herself from the Greens by saying *“the Greens will never embrace Labor’s delight at sharing the values of everyday Australians, who day after day do the right thing, leading purposeful and dignified lives, driven by love of family and nation”*.

When meeting with the leaders of Australia’s 20 major Christian churches (Catholic, Anglican, Baptist, Orthodox and Evangelical churches) on 4th April 2011, PM Gillard described herself as a **“cultural traditionalist who respects family values”**.

This meeting in Canberra was organised by Brigadier (ret.) Jim Wallace of the Australian Christian Lobby (ACL), which claims to be “representing individual Christians and is neither denominationally nor politically aligned”.



Jim Wallace of the Australian Christian Lobby

Many of the **Catholic members** of this meeting stand behind the words of the current Pope Benedict XVI, who stated in February 2009 that *“..euthanasia is a false solution to the drama of suffering, a solution unworthy of man. The true answer cannot be putting someone to death, however ‘kindly,’ but to bear witness to the love that helps us to face pain and agony in a human way. We are certain: No tear, whether it be of those who suffer or those who stand by them, goes unnoticed before God.”*

The Pope’s stance was upheld by The Bishop

of Parramatta, Anthony Fisher, at a special service at St Mary’s Cathedral on 31st Jan 2011. Bishop Fisher said the NSW Green’s proposed legislation was *“the killing of those who suffer by those who are comfortable, of the vulnerable by the powerful, of the sick by those professed to heal them.”*

PM Gillard reassured the ACL group in April that she supported “traditional values” and is listening to their concerns about the Green’s social agenda on euthanasia.

It is extremely troubling to see the PM seeking approval from the Australian Christian Lobby. Not only do they not represent the views of the broader Australian population, but on the issue of assisted dying they are also unrepresentative of the majority of Australian Christians.

What do Australian Christians think about Dying with Dignity?

The Australia Institute, a not-for-profit with no formal political or commercial ties, commissioned research in November 2010. Of the 1,294 Australians included in the study, 73% of Australian Christians aged more than 65 are in favour of medically-assisted dying (see table below).

Question: *“If someone with a terminal illness, who is experiencing unrelievable suffering, asks to die, should a doctor be allowed to assist them to die?”*

	Christians	O t h e r religion	No religion	Total
Yes, assist	65%	62%	91%	75%
No assistance	20%	21%	2%	13%
Not sure	14%	17%	7%	12%
Total	100%	100%	100%	100%

Newspoll figures from March 2011 indicate an even higher level of support in NSW.



Christians Supporting Choice for Voluntary Euthanasia Co-ordinator, Ian Wood, says the main opposition to euthanasia actually comes from vocal minority Christian groups in the fundamentalist churches. They do not reflect the view of end-of-life-choices held by the majority of Australian Christians.

Christians Supporting Choice for Voluntary Euthanasia is an ecumenical group formed in February 2009, with members from Catholic, Anglican, Uniting, Lutheran, Baptist, Unitarian, Church of Christ and Jehovah's Witness denominations.

To find out more about Christians Supporting Choice for Voluntary Euthanasia see their website at www.christiansforve.org.au

You can become a member by selecting "join by email" via their website, or by writing to Christians Supporting Choice for Voluntary Euthanasia

429 Anzac Road
PORT PIRIE
South Australia 5540

Bob Brown's Self-Government Bill

The Federal Parliament is contemplating a private member's bill moved by Greens Senator Bob Brown, which aims to grant political autonomy to the territories. Under the proposed law no individual government minister would be able to veto legislation passed by the ACT or Northern Territory. (This is what occurred in 1997 when federal MP Kevin Andrews quashed the

Northern Territory's recently passed Rights of the Terminally Ill legislation). While a veto of territory laws will still be possible, it will require the approval of both houses of Parliament rather than an individual minister, and so will require a higher level of agreement than under current laws.



Federal Labor had initially supported the proposed legislation. However, after being strongly lobbied by a delegation of Labor right MPs, the prime minister referred the bill to a Senate committee. The Senate committee subsequently endorsed the bill, with the dissent of some Coalition MPs. Although it does not specifically deal with euthanasia, opponents see the bill as a step towards legalising euthanasia because it would take away the ability of an individual MP to veto a law passed by a territory government.

To date Prime Minister Gillard has not yet indicated if she would support a conscience vote on this legislation.

As the Sydney Morning Herald editorial (May 6, 2011) concluded 'once a federal, state or territory Parliament has adopted a law, it should not be overturned simply by a minister's veto, especially when the law clearly reflects contemporary norms'.

It comes with the Territory

Meanwhile in the Northern Territory, the Chief Minister, Paul Henderson, has declared his opposition to euthanasia and stated that he has no intention of reinstating the **Rights of the Terminally Ill legislation**. In response, former Chief Minister, Marshall Perron, said that several NT politicians were seriously considering introducing voluntary euthanasia legislation "and there is nothing

the chief minister can do to stop it. He cannot stop a bill from being introduced." Mr Perron, who was chief minister when he introduced voluntary euthanasia laws in NT in 1996 said he had spoken to politicians who were willing to bring it back. "I do believe the community support for the issue is so strong that there are backbenchers in the NT Legislative Assembly who will seriously consider introducing a voluntary euthanasia bill," he said. A reader survey published in the NT News last year revealed that 85 per cent of Territorians supported bringing back voluntary euthanasia.

South Australian legislation

A bill sponsored by South Australian Labor MP Steph Key, and backed by Health Minister John Hill and Opposition health spokesman Duncan McFetridge, would **give doctors a medical defence** if they assist a terminally ill patient to hasten death. Although it would not legalise euthanasia, if passed the legislation would have significant implications for patients with terminal illness, particularly in cases where palliative care did not work. The bill has already passed the lower house from the second reading stage into committee.

The right wing faction of the South Australian Labor Party, including treasurer Jack Snelling and factional head Don Farrell, are strongly opposed to the legislation. Senator Farrell urged South Australian MPs "not to assist or participate in the killing of their citizens". Correctional Services Minister Tom Koutsantonis says he will vote against the bill despite wide support for the measure in his Adelaide electorate of West Torrens. "I'll go as far as to say that 85 per cent of my constituents support this measure and I publicly proclaim to all of them that I'll be voting against it and I say so before the election and I say so during my four-year term and I'll say so at the next election," he said.

The matter will be decided by a conscience vote of state MPs, most likely in October.

Our political stance

In recent months we have received criticism from some of our members for being too closely aligned to the NSW Greens.

We wish to point out that DWDnsw is a political – **we are not philosophically aligned to any political party.**

However we readily support any party or politician who is willing to stand up and fight for legislative change that would allow individuals with terminal illness the right to die in accordance with his or her wishes.



In the NSW parliament it is only the Greens who have declared their public support for legislative reform on this issue. Indeed, it is the Greens MP Cate Faehrmann (MLC) who will be introducing a private member's bill on medically assisted dying to State Parliament later this year or in 2012. This is a hugely significant step, as unless a political party or MP is willing to sponsor a bill on this issue we will never see legislative change.

To date only the Greens have been willing to attend Dying with Dignity NSW public meetings, and in November last year Cate Faehrmann hosted a public forum on Dying with Dignity at Parliament House – many of our members were in attendance.

At our AGM and public forum held at Leichhardt Town Hall in March this year, we extended invitations to all the major political parties to attend and articulate their views. It was only the Greens who responded to our invitation.

For this reason, Cate Faehrmann (NSW Upper House MP) and Jamie Parker (who was elected as the NSW Greens member for Balmain the following week) addressed the meeting.

While DWDnsw is a state based organisation,

we also watch developments on the national scene.

We therefore **heartily endorse the Tasmanian Labor Premier Lara Giddings** who, together with Greens Deputy Premier Nick McKim, plans to sponsor a pro-euthanasia bill in the next year. Similarly, we **strongly support South Australian Labor MP Steph Keys and Liberal frontbencher Duncan McFetridge** for their sponsoring of a bill that would give doctors a defence against charges of assisting in the suicide of a terminally ill patient.



Duncan McFetridge and Steph Keys

However, in the NSW and Federal parliaments neither Labor, Liberal or National MPs are willing to give their support to legislative reform on this issue.

ACT news

Jeanne Arthur reports from Canberra.

As part of Seniors Week, the ACT branch of Dying with Dignity participated in Seniors' Expo day on Thursday 24th March. This was the second year that we have attended, and in my view it was a success. This year we were on the main drag through from the entrance so everyone coming in passed us, and many people stopped to talk to us. That meant that we heard lots of stories about people's plans for their deaths and how relatives had died. Many people expressed their interest in, and knowledge of, voluntary euthanasia. They appreciated having the opportunity to talk to us and to have access to application

forms, the newsletters and pamphlets. By participating at the Expo we aim to extend our reach into the Canberra community and build up our membership to strengthen our lobbying position. Our new corporate membership of associated organizations such as COTA (ACT) and the Health Consumers Association (ACT) means that we have connections with allied groups who were also present at the Expo. These groups will also help us develop our lobbying capacity.

Central Coast News

The Central Coast of NSW continues to be one of our most active branches, with regular meetings and activities. Gideon Cordover came up from Sydney to meet the enthusiastic team at their last branch meeting on June 17. Alas, The CC Branch Secretary - John Hogan - has had to step down from this position due to his own unexpected cancer diagnosis. John is coping with his chemo with amazing positivity. He continues to be actively involved via email with the DWDnsw Management Committee which he joined in January 2011. John's continued contribution in the face of illness is inspirational and greatly appreciated.



Presentation to University of the Third Age

In March this year one of the doctors on our Committee, Dr David Leaf (pictured), gave a presentation on end-of-life issues to members of the University of the Third Age at Hornsby.

About 50 people were present and showed great interest in the subject. There was a lot of thirst for information about the current state of legislation, anger at the Catholic Church opposition and great interest in some examples of Palliative Care failures. There were also many requests for

information on Advanced Care Directives. Overall, the meeting comprised two hours of intelligent and worthwhile discussion.

Dying with Dignity is happy to provide **guest speakers** to present to community organisations. For enquiries contact our office.

CWA Conference, Nowra

On May 17 the Country Women's Association (CWA) held a conference on physician assisted dying.

Speaking in favour was Ms Yvonne Allen, who witnessed her mother's suffering from a terminal brain tumour. Dr Bernadette Tobin from the Australian Catholic University Ethics Department spoke against.

Central Coast activist Mrs Doris Hart joined other DWD members to report on the meeting.

According to Mrs Hart, the event was well attended and reflected that such events are an important opportunity to disseminate information about dying with dignity.

DWDnsw commends Doris for her great commitment to the cause in travelling all the way to Nowra to represent DWD.

David Mathers case



In July 2009, 78 year old Eva Griffiths, who

was suffering from chronic osteoarthritis died in her Ashfield home. Her partner - David Mathers (pictured above) - was convicted of manslaughter for suffocating her with a plastic bag. Mathers openly told ambulance officers that "I finished what she started", as Eva had several days before tried to take her life by overdosing on prescription.

This case provoked some media response, with Dr John James from Right to Life Australia saying that he feared the judgment could see an increase in so-called "mercy killings".

It was wonderful to see that **19 DWDnsw members wrote to the SMH**, with one letter published. The letters showed a real compassion for Eva and David and raised many important points. As we do not have room to print all the letters here, we have taken some quotes from various letters for you to "hear" what some of our members are "saying":

"I am glad he received a suspended sentence. He has been punished enough by what he had to do." – P. Ferguson

"...rejoice at the good judge's ability to distinguish the elements of unselfish compassion from the elements of criminality." – B. Abbey

"End of life circumstances are stressful enough, without the law interfering." – G Williams

"How sad it is that in today's society we still allow people who are dying in pain and agony to suffer until their illness runs its course. Don't tell me that we are incapable of drafting legislation that safeguards the vulnerable." – J. Edney

"Why should we have to suffer 'Loss of Dignity' because the drug companies are keeping us alive past our 'use by' date?" – B. O'Meara

"Don't allow your partner or anyone else to have to face court (like David Mathers) for complying with your decision to end your 'life', when it has become untenable and you can no longer act for yourself. Decisions should be made when you are capable of rational thought and action."

– Dr J. Croll

"I respect the 'Right to Lifers' right to die in agonising pain. I wish they would equally respect my right to die with dignity when my time comes!"

– P. Frank

"Despite numerous polls showing the majority of Australians recognize the need to introduce laws allowing assistance with the humane ending of life, our last gutless government refused to represent our wishes. We can only hope our new government has more guts than the last."

– M. Lotton

"Euthanasia happens all the time, but unfortunately we can't have proper guidelines for this until the law is changed."

– Dr T. Lustig

"We do not hesitate to engage in war - killing innocents, as well as military. We allow all sorts of graphically depicted horrors on screen and TV, yet we show no mercy or compassion for those who want, need and deserve the dignity of death at their calling."

- R. Kornfeld

When the issue of euthanasia is raised in the media it is a good time to write to newspapers expressing your view. You can email your letter to the Sydney Morning Herald at letters@smh.com.au.

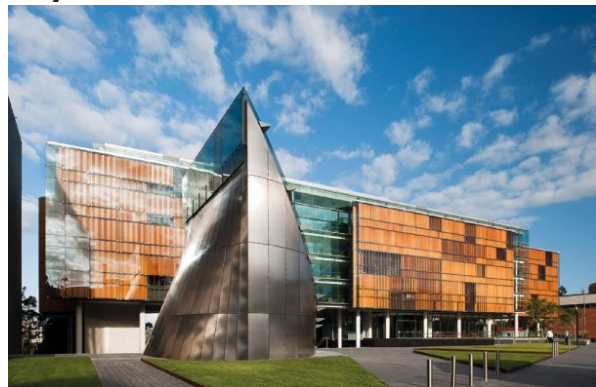
Alternatively, you could write a letter to your local paper, your Association newsletter/magazine or to your local Member of Parliament (especially if you have a newly elected Member following the last State Election).

The basic advice for this sort of letter writing is **Keep it short** (less than 200 words); **Keep it simple** (make one or two clear points); **Get there early** (early in the day and soon after a story or letter you are responding to.)

Subscribe to our Channel

DWDnsw has recently purchased new video recording equipment with the objective of creating and delivering a series of interviews with voluntary euthanasia advocates. These films are currently being posted on our YouTube channel. You can look at our clip collection by visiting www.youtube.com/dwdnsw.

Usyd Debate available on YouTube



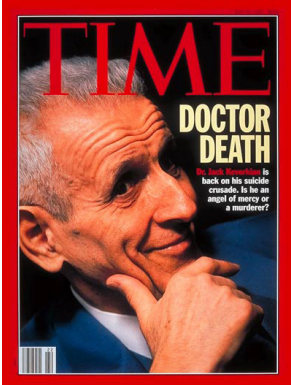
The talk was held in the new Usyd Law Building.

On the 17th May nearly one hundred students turned out to watch a debate on euthanasia as part of the University of Sydney's Tuesday Talks series. **Greens MLC Cate Faehrmann** and **Exit International's Dr Philip Nitschke** spoke in favour of dying with dignity reform. On the opposition team was **HOPE** director **Paul Russell** and the president of the **Australian Medical Association Dr Andrew Pesce**. A video of the debate is available on Youtube by searching for "Usyd Tuesday Talks".

Dr Kevorkian dies, 83

Assisted-death advocate Dr Jack Kevorkian died of natural causes on June 3 in his home state of Michigan, USA.

A film "You Don't Know Jack", starring Al Pacino, was released last year about his controversial life.



By attending to 130 suicides, Kevorkian, who was convicted of second-degree murder in 1999, placed in the public spotlight end-of-life issues, and choice over suffering and the moral and legal

dilemmas posed by assisted suicide.

BBC Documentary



Peter Smedley gave Sir Terry and his crew permission to film the moment that he drank poison to end his life.

Recently on the BBC the writer Sir Terry Pratchett, who is suffering from Alzheimer's disease, presented a documentary called "Terry Pratchett: Choosing to Die". The film follows the case of Peter Smedley, a man in his early 70s with motor neurone disease, a condition that will eventually make him unable to swallow or breathe. Faced with this prospect, Peter decides to die at the Dignitas clinic in Switzerland, and Pratchett accompanies him. The airing of the documentary has created a major stir in the British media, with anti-euthanasia campaigners strongly critical of the BBC for airing it.

Sir Terry was diagnosed with early-onset Alzheimer's disease in 2007. He has become a vocal advocate for the legalisation of physician assisted dying.

Global DWD group

For information on developments around the world:

The World Federation of Right to Die Societies consists of 46 Right-to-Die organisations from 26 countries. The Federation provides an international link for organisations working to secure or protect the rights of individuals to self-determination at the end of their lives.

See www.worldrtd.net



Death of Mr Harland Hogan

On January 2nd 2011, WW2 Bomber Pilot Harland Hogan died. He had been a member of DWDnsw for 27 years. He left behind four children and his wife of 50 years, Gabrielle Hogan. Harland was nearly 94 years old.

An update from Iolanda Grey

Eight years ago my story was published in the Sydney Morning Herald: "First person – Network of Friends". This was my personal account of how I was dealing with serious medical problems, including cancer and several neurological diseases which were diagnosed in 1997, when I was 31. (The article can be found on the DWDnsw website under the "Personal Stories" section).

Since publication I have also developed chronic widespread pain syndrome, and most of my symptoms have progressively worsened over time. What the article didn't mention was the grieving that I went through 3 years after diagnosis; grieving that lasted a few years. During that time I had to come to terms with the fact that there were no treatments for my many problems, that I was infertile, that I was no longer able to work or even live independently and that many of my hopes for the future would not be realised.

And I then made a very important connection – that people who make their passion their life purpose are the happiest.

After some thought, I realised that I was more than just interested in working towards the legalisation of physician assisted dying. I realised that this was my "passion" that would become my "life purpose". I feel happier now because of it.

Despite my health taking a downturn, I'm able to stay positive because I am doing a little bit towards my "passion" or "purpose" every day.

The following are some of **Iolanda's tips** on member advocacy. To read the full list, see our website at www.dwdnsw.org.au and select "Personal Stories".

- Use the media – When issues related to Physician Assisted Dying are raised in the media, call in to the radio talkback programs and write letters to newspapers.
- Go along to your **local MP's public meetings**, and raise your concerns about the current law on assisted dying.
- Make sure you have completed an **Advanced Health Care Directive**, and provide copies to your family and GP. Encourage family members and friends to prepare one for themselves too.

- Consider joining our email discussion group. I run a small and friendly email discussion group that is open to members of DWD, Exit and other pro-choice societies. We discuss end-of-life issues in the news and ideas about promoting the "cause". Newcomers welcome!

See <http://groups.yahoo.com/group/ve-aust>

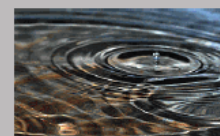
- Do you belong to any community groups that might like to hear from a DWDnsw speaker (e.g. retirement villages, seniors groups, Probus, Rotaract, WEA, VIEW Clubs)? If so, speak to other members about whether there would be sufficient interested people to hold an information session. Alternatively, you could simply hand out DWD brochures at a group event. Contact the DWDnsw office to get brochures or organise a speaker for your group.
- If you know any current or former politicians, senior government officials or celebrities who are supportive of DWD aims and could be a strong ambassador for our organisation, then contact them and ask if they would be willing to have their name and photo on our DWD website.

Have you completed a DWDnsw AHCD yet?



Advance Health Care Directive & appointment of

Enduring Guardian



Completing both of these documents gives you the best chance of ensuring that you will not be given unwanted medical treatment at the end of life. It can also make it easier for your family and health care providers to understand and respect your wishes.