

# Dying with Dignity

New South Wales



NEWS | Autumn 2021



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Dying with Dignity   
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## Membership Renewal

It's membership renewal time again. Existing members will have already received a renewal notice by email or post.

If you are not yet a financial member, please consider joining, as we rely on our membership fees to fund our work. You can join online at: <https://dwdnsw.nationbuilder.com/membership>. To request a membership form to be mailed to you, please call our office on (02) 9212 4782 or email to [dwd@dwdnsw.org.au](mailto:dwd@dwdnsw.org.au)

Annual membership is \$50 (\$25 concession) or you could become a Life Member for \$500.

### DYING WITH DIGNITY NSW

## Notice of 2021 Annual General Meeting

**Saturday 24 April 2021 from 2 – 3pm**

As we did in 2020, we have scheduled a virtual meeting to deal with the legal requirements for our Annual General Meeting, including election of directors. The meeting will be held using Zoom, which allows participation by video or by telephone. Financial members will have already received a Notice of Meeting by post or email.

## President's message

Will 2021 be the year that voluntary assisted dying (VAD) laws will have been passed across Australia? We certainly hope so.

Tasmania's VAD Bill passed its final hurdle in March, with a report from the University of Tasmania finding the processes and safeguards within the legislation 'among the most rigorous in the world'. In South Australia, debate on the VAD Bill is well underway and is expected to pass in the upper house in early May. In Queensland the government is awaiting a final report from the Law Reform Commission before introducing VAD legislation to Parliament after the winter recess. The Western Australian VAD law takes effect on 1 July and the latest report from the Victorian VAD Review Board once again confirms that their regime is working as intended – safely and effectively. Last but not least, there are moves afoot to try to overturn the federal law that prohibits the territories from passing VAD laws, denying their residents the democratic rights available to other Australians.

After a despondent start to 2020, we were delighted when Independent MP Alex Greenwich announced in December that he would begin the process of drafting VAD legislation for NSW. Alex has been encouraged by early feedback from his colleagues across the political spectrum and has recently made an address to Parliament, outlining a timeline that would see a draft Bill released in July and a debate in September (see page 4). This could not be better news.

We have a big job ahead of us to ensure that MPs across NSW support this Bill. Now is the time for our supporters to become active and vocal, so our MPs know that they cannot ignore the huge majority of the community who want VAD laws in this state.

We have already been very active in our campaign, with over 35,000 signatures on our [petition](#) and volunteers running community stalls across the state (see pages 6 & 7).

Over 40,000 flyers have been letterboxed and we have had some wonderful feedback from the community and some local MPs. We have also had significant media coverage, including the front page of the Newcastle Herald featuring Abbey Egan describing the awful last days of her partner, Jayde. You can read Abbey's story on page 8.

Thank you so much to everyone who has volunteered their time. You will see pictures of our wonderful volunteers, resplendent in aqua, from our community stalls in Newcastle, Lismore, Ballina, Central Coast, Coffs Harbour and others. We're hoping to hold many more stalls across the state over the next six months.

It's now time to start contacting your MP to ask them to support the NSW VAD Bill. We need you to tell them why assisted dying laws are so important and share your personal stories, so they understand the terrible suffering that some people experience at the end of their lives. We held an online advocacy training session with Independent MPs Alex Greenwich, Greg Piper and Labor's Jo Haylen with some ideas about how you can influence your local MP (see page 6).

We are very excited to have Heath Reed join DWD as a campaign organiser, working full-time on our grassroots community advocacy projects. We'd love you to get in touch if you'd like to organise a community stall in your area or want some help planning a meeting with your local MP. You can email Heath at [heath@dwdnsw.org.au](mailto:heath@dwdnsw.org.au)

You will appreciate that we can't run an effective campaign without funds to pay the costs of running our stalls and other activities, including advertising to build support for our petition. In addition to our new campaign organiser, we have engaged professional media and communications advisers and our costs will increase as we get closer to the debate.

We will need your continued financial support to ensure we can run the most effective campaign and have included a donation form at the back of this newsletter. You can also [donate online](#) via our website. We simply cannot allow this Bill to fail.



## NEW STAFF

We are delighted to introduce Heath Reed, our new, full-time campaign organiser. With a great start to our grassroots campaign and the assisted dying Parliamentary debate due in September, we knew we could use some extra help.

Heath has a background in health and community services and also has experience supporting family members at their end of life.

Heath has only been with us for a few weeks but he has already made a great contribution.



As always, thank you for your support,

**Penny Hackett**

President, DWD NSW

**Cover image – Abbey Egan (centre) with friends at the Stockland Greenhills Shopping Centre in January.**



## NEWS FROM NEW SOUTH WALES

### Assisted dying debate on track for 2021

On Sunday 13 December 2020, independent MP Alex Greenwich announced that he would begin the process of drafting voluntary assisted dying (VAD) legislation for NSW, in response to the growing momentum for law reform.

Dying with Dignity NSW was delighted to see this news make the front page of The Sun-Herald and also attract a flurry of other media attention. The Sun-Herald also included a story about Scott Riddle, the young father with stage 4 bowel cancer, who featured in our last newsletter and is the subject of our petition.

The timing of the announcement was quite deliberate as Alex wanted to give his Parliamentary Colleagues plenty of time over the Christmas break to consider how they would like to see the issue progress in NSW.

Since Parliament resumed in February, Alex has been building cross-party support for the proposed legislation and early feedback has been positive.

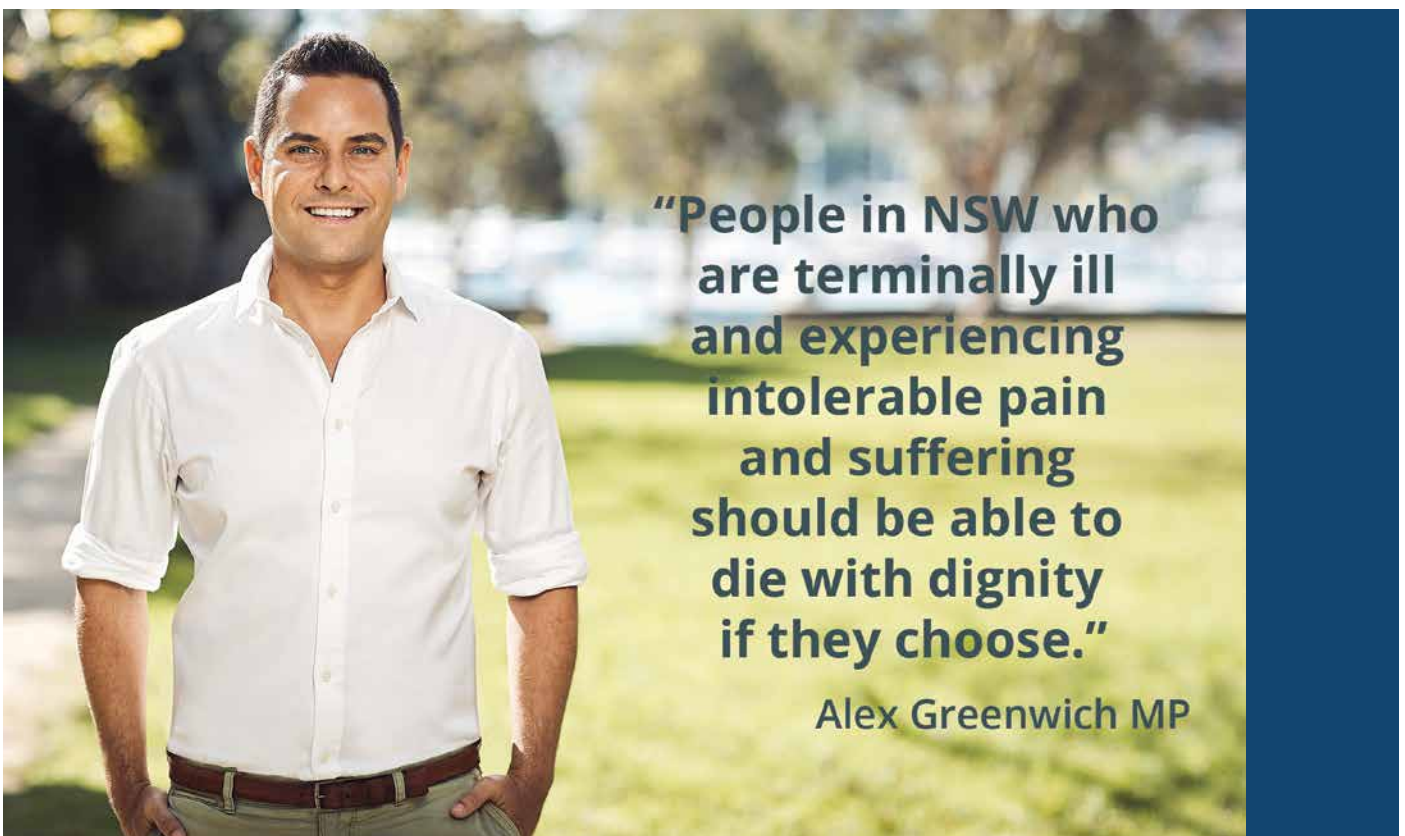
“I hope my colleagues will start having conversations with their communities and listen to the stories from those who are or have been affected. This is an issue that touches every one of us.”

In his Private Member’s Statement in Parliament on 25 March, Alex Greenwich outlined a timeline that would see the VAD legislation presented to NSW Parliament in September, following release of a draft Bill around July.

“New South Wales is not leading on this reform. As a result, debate, provisions and safeguards will benefit from best practices in other states.

“It is my hope that the Bill will be co-sponsored by as many members of both houses as possible. I am open to the legislation being introduced in either house and scrutinised by an appropriate inquiry process.

“I commit to a respectful and open process and will work with members across the political spectrum towards providing hope and relief for people and their families facing horrific health news.”



**“People in NSW who are terminally ill and experiencing intolerable pain and suffering should be able to die with dignity if they choose.”**

Alex Greenwich MP

## Majority support for VAD in every NSW electorate

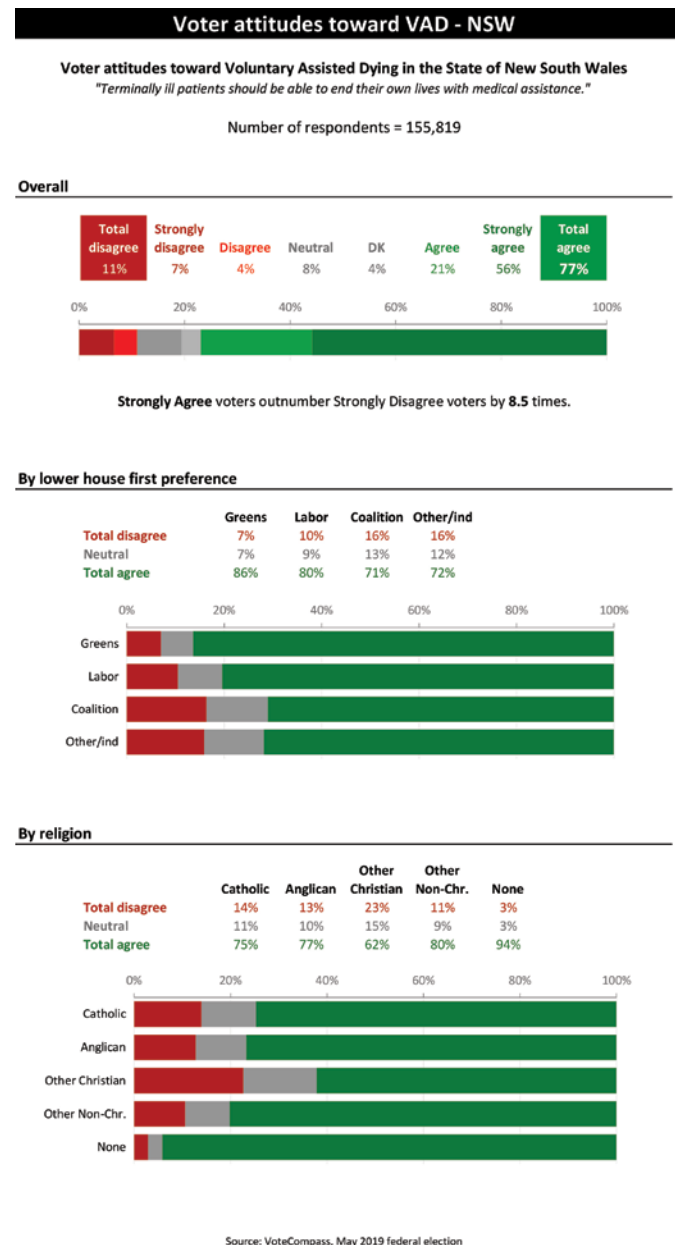
A new [analysis of data](#) collected in the 2019 Vote Compass survey shows that voters in every NSW electorate overwhelmingly support voluntary assisted dying (VAD) laws. The data also shows majority support across different religions and political persuasions, including in conservative leaning electorates.

Over 155,000 people in NSW responded to the statement “Terminally ill patients should be able to end their own lives with medical assistance”.

In NSW, the levels of support in individual electorates ranged from 64 to 83%, with the overall support in NSW being 77% with only 11% opposed. A breakdown by political persuasion shows overwhelming support across the political spectrum, from Greens (86%), Labor (80%) and Coalition (71%), to minor party and independents (72%). A breakdown by religion shows those supporting VAD laws include three quarters of Catholics (75%) and Anglicans (77%) and 80% of non-Christian faiths. Among voters with no religion there was 94% support.

There is not one electorate in NSW, or the entire country, that doesn't have majority support for voluntary assisted dying laws. The data tells us something that most of us already knew - support for voluntary assisted dying transcends political and religious ideologies.

**Any MPs who vote against the NSW VAD Bill cannot claim to be representing the wishes of their electorate.**



## Writing to your local MP

Have you written to your local MP? If not, please see our website for a [guide to letter writing](#) and [MP contact details](#).

### Key Points

- Personal typed or handwritten letters are best, but emails are a good option if you are unable to send a letter by post.

- Local MPs are answerable to their electorates and need to know your views.
- It is important to maintain a respectful tone.
- Personal stories are very powerful. MPs need to understand the consequences of not supporting a voluntary assisted dying law.
- If you have a personal story to share with MPs, feel free to include a photo of the people involved.

## EVERY DAY MATTERS

### Grassroots advocacy off to a great start

Following the 'Every Day Matters' campaign launch last October, over 280 Dying with Dignity supporters signed-up to be campaign 'champions' to help us build a grassroots campaign.

We are delighted to report that a number of our regional pods have already embraced the first steps of our campaign plan by holding Zoom, or face-to-face, meetings with other local supporters. Some pods have even held their first community stalls, raising awareness of our issue and collecting hardcopy signatures on our petition.

First to get started was our Newcastle pod, which includes a number of very dedicated champions. They held their first stall within days of Alex's announcement and had three by mid-January. Encouraged by the enthusiastic response from locals, the Newcastle pod leader Abbey Egan and stall captains John Smith and Julie Pearce, decided to hold a community campaign 'blitz'. It was a challenge to keep up with their pace of their enthusiasm, but we managed to order promotional materials including pull-up banners, table cloths, posters and other signs just in time for Saturday 30 January, when they held six community stalls across Newcastle and surrounding areas.

Once again, we were able to provide an exclusive to the Newcastle Herald and achieve another front page story featuring Abbey's personal story. The Newcastle blitz was very successful, with over 2,000 signatures added to Scott's petition.

Hot on the heels of Newcastle were the Northern Rivers, Albury, Central Coast and Coffs Harbour pods with many others holding stalls around the time you receive this newsletter. We couldn't be more proud of all the champions who stepped up to be stall captains, as well as the individual volunteers who helped on the day. All of the stalls so far have managed to attract interest from their local media, which is a good indication of the media support we will be able to have as the campaign progresses.

### It's time to talk to your MP

In March, we hosted a very informative training webinar - "[How to talk to your local MP](#)". During the online event, independent MPs Alex Greenwich and Greg Piper and Labor's Jo Haylen shared their thoughts on how to approach MPs and the best ways to influence them. With the assisted dying debate due in September, we hope this training session has given participants the skills and confidence to approach their local MP and ask them to support the voluntary assisted dying (VAD) Bill when it comes before NSW Parliament.

If you missed the webinar you can watch a recording on the [Dying with Dignity NSW YouTube channel](#).

Key points:

1. MPs need to hear from their constituents, as this is the best way to persuade them to vote YES to the VAD Bill.
2. You can start by calling your MP's office and asking for a meeting to discuss VAD laws. Make sure you tell them you are a constituent. [MP contact details](#) can be found on our website.
3. Make sure you are always polite and respectful.
4. Your personal stories are very powerful. Many MPs have not experienced the death of a loved one and don't understand how important it is for dying people to have some control over how their lives end.
5. Please let us know if you get an appointment and we will help you prepare for the meeting and give you some information about the assisted dying bill and some questions to ask. Email us at [campaign@dwdnsw.org.au](mailto:campaign@dwdnsw.org.au)







# THANK YOU TO OUR DEDICATED VOLUNTEERS





## ABBEY'S STORY

### DYING HAD NO DIGNITY FOR JAYDE

Abbey Egan's voice cracks...

Even now, nearly two years after her partner Jayde Britton's horrific, premature death, the pain is raw.

She takes a deep breath...

"That doctor, a kidney specialist, sat down and took Jayde's hand and asked her how long she thought she had... because, he said, she needed to decide whether to start watching Breaking Bad from the beginning or to start something shorter.

"It was an incredible moment, because it was the first time after 17 months that someone other than me had given her permission to stop fighting a losing battle... the tension immediately went out of the room, the anxiety faded..."

Looking back, Abbey said she and Jayde laughed about that meeting in precious, private moments during the five short but long weeks that followed before her death, aged 32.

Jayde's was a brutal journey, riddled with misdiagnoses, repeated tests, operations, chemotherapy, radiotherapy and massive quantities of medication... as well as the accompanying natural therapies the couple explored. And all to no avail...

Within two years, from being a happy, healthy young woman, who loved cooking, food, live music, their dog Winston, bushwalking with Abbey and spending time with family, her much-loved Nan and Pa, as well as their close-knit circle of friends in Newcastle, Jayde was reduced to a shell, unable to talk, in unbearable pain, bleeding and leaking in what was an undignified end.

What she desired most was the choice to end it all, which in NSW is an impossibility... something she, and now Abbey, want to see changed.

Jayde's suffering began in April 2016, on her 30th birthday, after her first skydive, a birthday treat from Abbey.

"She began bleeding, there were pools of blood and she was in so much pain," Abbey said.



"Doctors diagnosed ovarian cysts, endometriosis, polycystic ovary syndrome (PCOS)... saying it couldn't be anything serious, because she was too young and fit and healthy. But nothing really matched Jayde's symptoms..."

"In early February 2017, she was admitted to hospital twice for a 'kidney infection' but they couldn't find any traces in her urine... they did some CT scans (without dye) and still found nothing.

"We were getting so angry, it was so frustrating... finally in March they did a scan with dye – hallelujah!

"That is when they found the tumour - it was massive and had been pressing on her kidneys and blocking her urethra. We had an appointment with the gynecologist, it was late Friday afternoon... he examined Jayde, he told her it looked like cancer and she had to have a biopsy the following week, just like that! You can imagine how we felt over the two days of that weekend."

The results the following week were indisputable – cancer of the cervix that had spread to the pelvis and some lymph nodes.

"The oncologist said the scans had 'lit up like a Christmas tree with cancerous cells' and was the most unusual case he had seen in his 30 years... he told her she had a life expectancy of about 12 months."

Abbey's tears flow now as she relates the weeks of radiation and chemo that followed, the nausea, the



weight loss... and then the hope that blossomed, when nine weeks later, in May, the tumour appeared to have gone! Jayde was technically free of cancer!

“In the 10 months that followed, Jayde lived her best life – we moved to a big old house in Maitland, surrounded by bush and kangaroos, life was normal, healthy, fulfilled, wonderful.

“She went to Vietnam and spent time in Queensland with friends, she did a bicycle challenge to raise money for cancer and we fostered a young girl – it was astonishing what she packed in!”

In March 2018 the bleeding and the pain returned... but this time it was a lot worse.

“I thought Jayde was unwell and in pain the first time, but this was much more intense, all the time. I quit my job (as a social worker with disadvantaged youth) to care for her.

“There was more radiation and a lot more chemo... the tumour was inoperable, they tried putting stents in. But nothing seemed to help – she had incredible lymphedema in her legs, up to 10kg of fluid by the end of the day.

“The tumour was blocking everything and actually ended up breaking Jayde’s spine (her t12 vertebrae), which then ruptured a nerve. She was leaking, she had to wear nappies... there was no dignity in how sick she was.”

And so, exhausted after all the poking and prodding and attempts to find a solution, the couple came to that blackly humorous exchange with the kidney specialist...

“From there, Jayde’s wish was to die at home... when we got her there two weeks later she knew she would never leave. Her mental state deteriorated, all this grief for her life came out. I was with her all the time – toileting, showering, massaging her legs.

“She told me she just wanted to die... and there was nothing I could do.

“You shouldn’t have someone you love begging you to die and be unable to help!

“If the option had been there, Jayde would have ended it all so much sooner.”

As it was, with a healthy brain and heart she kept on living, three more awful weeks with six

final horrific days, which Abbey describes as ‘torture’ with Jayde hallucinating and distressed, speechless, thrashing in pain that no amount of morphine seemed to ease.

When the end came, it was quick – in the blink of a moment, when Abbey had stepped out to make herself a peppermint tea.

“Everything went calm and I thought “oh great!” And then her dad put his head out and said she was gone. I couldn’t believe it! For half that cup of tea she was there and then she was not and I missed it!”

At the celebration of Jayde’s life, her ‘fun-eral’ as Abbey calls it, people were asked, in lieu of flowers, to donate to Dying with Dignity – they raised \$2000 and are planning more fundraising events.

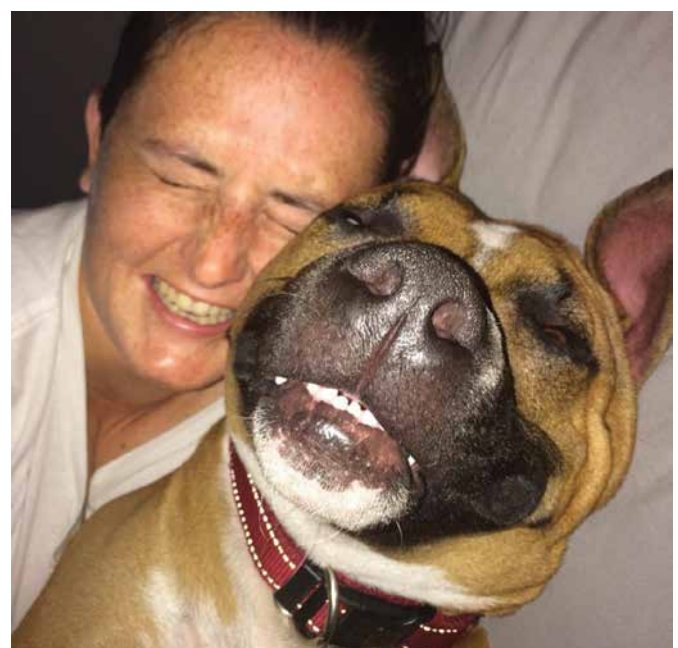
“You don’t think of people my age (Abbey is now 30) dying like this, maybe suicides or accidents but not like this, with cancer. You assume euthanasia is something for older people - which is why I am doing this, telling Jayde’s story.

“Our generation is the voice of change, we are the ones who need to push this in the right direction.

“It is so important to talk to people and share things on Facebook – I want this change, a legal framework for voluntary assisted dying, to be part of Jayde’s legacy.”

Jayde was a massive fan of singer Stevie Nicks and she felt profoundly that everyone is entitled to “go their own way”.

**Written by Ute Schulenberg**



## NEWS FROM AROUND THE COUNTRY

### Tasmanian law passes

Tasmania was certain to become the third state to legalise voluntary assisted dying (VAD) after an overwhelming majority of the state's House of Assembly passed Mike Gaffney's End-of-Life Choices (Voluntary Assisted Dying) Bill 2020, 16 votes to 6 in favour in early March.

There were a number of amendments introduced during the lower house debate, so the Bill had to return to the upper house for final approval. This was always going to be a formality, considering the upper house passed the legislation in an historic unanimous vote last November.

Like the Victorian and WA VAD laws, under the Tasmanian legislation a person would be eligible to access voluntary assisted dying if they are aged 18 or over, have decision-making capacity, are acting voluntarily, meet specific residency requirements and be experiencing intolerable suffering in relation to an illness or health condition expected to cause death within a specified time period.

Before undertaking the final stage of the debate, Liberal Premier, Peter Gutwein, referred the legislation to a panel of legal, health and public policy experts at the University of Tasmania for an independent review over the summer recess. The review aimed to provide analysis and evidence to guide the Parliament's ongoing consideration of the Tasmanian VAD Bill.

That review found "the process proposed in the Tasmanian VAD Bill for requesting, assessing eligibility for and accessing VAD, and the safeguards built into this process, are among the most rigorous in the world".

Some of the amendments proposed during the debate were passionately defended or opposed. Importantly, the use of telehealth for VAD consultations, after the initial consultation, was maintained in the Bill and an amendment that would have allowed hospitals and aged-care facilities to refuse VAD on their premises, was defeated.

The result in Tasmania shows that VAD law reform does not have to be a government initiative in order to succeed, giving new hope to supporters in South Australia and NSW where private members Bills will be debated in 2021. As long as the major parties allow a 'true' conscience vote for their parliamentary members, it is possible to achieve strong, cross-party support enabling this compassionate, end-of-life option to become law.

This was the fourth attempt to pass VAD laws in Tasmania and many believe a game changer this time round was the contribution from two sisters, Jacqui and Natalie Gray, who ran an amazing grassroots campaign in memory of their mother Diane who had suffered a 'bad' death in 2019.

Their efforts inspired others to join the campaign, which led to the first ever unanimous vote on assisted dying anywhere in the world.



### SA debates VAD Bill

Debate on the South Australian Voluntary Assisted Dying Bill resumed on Wednesday 17 March, with a number of Second Reading speeches delivered in both houses of Parliament, including a supportive speech by SA Health Minister, the Hon. Stephen Wade.

"As a Liberal, I accept the right of every individual to personal autonomy, including the right to make end-of-life decisions. While my Christian faith teaches me that euthanasia is not an option for



me, in a pluralist society other people will hold differing views and should have the freedom to live their lives according to their values and their moral codes, as long as their actions do not cause harm to others,” Minister Wade said.

Although Minister Wade had voted against previous VAD Bills, he acknowledged that the situation has now changed, with Victoria, WA and Tasmania having passed these laws.

“This changes the context of our deliberations, because we now need to consider issues of equity of access to health services. Not putting in place a voluntary assisted dying regime would deny South Australians access to a health service which is becoming available to a majority of Australians.”

On 31 March, members of the upper house voted to progress the VAD Bill to the committee stage with the final vote in the upper house expected on 5 May.



## Queensland’s VAD Bill delayed

In our summer newsletter, we reported that the Queensland Law Reform Commission (QLRC) was drafting legislation that was expected to be introduced and debated in Parliament in early 2021. Since then, the Queensland Government granted an extension to the QLRC delaying the release of their Voluntary Assisted Dying Bill. However, the QLRC did release a Review Update in late February. The final report is due to be tabled in Parliament on 10 May, with the debate expected to commence in August or September.

## Victoria’s law working well

It has now been more than 18 months since Victoria became the first state in Australia to introduce voluntary assisted dying and, as stated in the [latest report](#) from the Voluntary Assisted Dying Review Board, “as the program continues to mature, information and feedback reiterates how voluntary assisted dying provides Victorians suffering from a terminal illness a genuine and compassionate choice at the end of life”.

The report, released in March, covers the third six-month period of Victoria’s Voluntary Assisted Dying Act 2017 and confirms that 94 assisted deaths took place under the scheme between July 1 and December 31 last year.

Compliance remains very high at 95%, with only six cases identified as non-compliant – although the issues were not related to the eligibility of the applicant. There is no evidence of abuse or of problems occurring as predicted by opponents of the legislation.

It was pleasing to see a 25.6% increase in the number of doctors involved in applications, although there is still a gap in some speciality areas and in regional and rural Victoria.

The Board continues to encourage people to initiate conversations about voluntary assisted dying early after being given a terminal diagnosis, stating that “Voluntary assisted dying is not an emergency medical procedure and, as previously reported, the application process takes time. Starting early provides greater opportunity to complete the process without additional stress or worry”.

The report did expose some ongoing concerns with the law. For example, there was another case of failure to complete due to the citizenship requirement, the use of telehealth remains a legal grey area and the most troubling issue continues to be the delay in people achieving completion of their request. It is hoped that some of these issues can be avoided in VAD legislation in other states and that the issues can be addressed when the Victorian law is reviewed in 2023.

## WHAT'S HAPPENING OVERSEAS

### Spain

On Thursday 18 March, Spain became the latest European country to pass voluntary assisted dying (VAD) laws to allow adults with 'serious and incurable' diseases that cause 'unbearable suffering' to choose to end their lives.

Tweeting just minutes after the vote, the Spanish Prime Minister, Pedro Sánchez said, "Today we have become a country that is more humane, fairer and freer. The euthanasia law, widely demanded by society, has finally become a reality".

The Spanish law permits administration by a doctor or self-administration. Like similar laws in Europe, to request either, the person must:

- Be suffering from a 'serious or incurable illness' or a "chronic or incapacitating" condition that causes 'intolerable suffering';
- Be an adult Spanish national or a legal resident; and
- Be 'fully aware and conscious' when they make the request, which has to be submitted twice in writing, 15 days apart.

Medical practitioners can reject a person's request if those requirements have not been met. The request has to also be approved by a second medical practitioner and an evaluation body.

Medical practitioners can refuse to take part in the process on the grounds of conscientious objection.

The Bill passed in the lower house with 202 votes in favour, 141 against and two abstentions.



As expected, the result was welcomed by VAD supporters, but condemned by religious and conservative groups. The far-right Vox Party has already promised to challenge the law in Spain's Constitutional Court. If the law survives that challenge it is expected to come into effect in June.

### Canada

In our summer newsletter we told you about the drawn-out process occurring in Canada as the government attempted to steer through amendments called for by a court decision.

In 2019 the Quebec Supreme Court ruled that the provision in the Canadian Medical Assistance in Dying (MAID) law which limits MAID to those whose death is "reasonably foreseeable" was unconstitutional and it directed the government to amend the law to extend eligibility conditions.

In Bill C-7, the government proposed a number of amendments it hoped would meet the court's requirements, including a provision to extend MAID to people whose death is not "reasonably foreseeable"; a relaxing of the requirements for people whose death is "reasonably foreseeable" and an explicit exclusion of people with irremediable mental illness. Some expert opinion considered this latter provision unconstitutional because it violates the Canadian Charter's guarantee of equal treatment under the law, regardless of physical or mental illness. Despite those concerns, Bill C-7 passed the House of Commons in December 2020.

It then went to the Senate (which in Canada is not an elected body) which added a number of amendments to further liberalise the Bill. This set-up a power struggle between the House of Commons and the Senate, with Prime Minister Trudeau's party no longer holding a majority in the House. However, on 11 March, with the help of the Bloc Québécois, the minority Liberal government passed the Bill with further amendments.

On 24 March the Senate finally passed the revised version of Bill C-7, even though the



government had rejected or modified earlier amendments made by the Senate. The final Bill will expand access to medical assistance in dying, including eventually to people suffering solely from mental illnesses.

## USA

On Monday 5 April, New Mexico's Governor, Michelle Lujan Grisham signed legislation making New Mexico the eleventh US jurisdiction to allow medical aid in dying as an option for terminally ill, mentally capable adults. This was the final step after their Senate passed the legislation by a vote of 24 to 17.



In Montana, where assisted dying is allowed by virtue of a court decision in 2009, a Bill designed to strip this option from terminally ill constituents by criminalising doctors who participate in the practice has been defeated once more. Opponents in Montana are not likely to give up, but for now the law in Montana remains intact.

On a more positive note, Washington State is considering liberalising its Death With Dignity Act in much the same way as Hawaii, namely by allowing registered nurses and other health professionals to participate in VAD and by shortening the waiting period for some categories of patient.

There are also other assisted dying laws currently being considered in Massachusetts, North Dakota, Connecticut and Minnesota.

## South Africa

There is an interesting case underway in South Africa at the moment. Two people have taken a landmark case to the Supreme Court, asking it to allow them access to assisted dying on the grounds that laws that ban the practice are unconstitutional. The case has been brought by Dr Suzanne Walter, who has been diagnosed with multiple myeloma and Diethelm Harck, who has motor neurone disease. Their legal team will argue that the right to die with dignity is a human right which includes the right not to be treated in a cruel, inhumane or degrading way and not to be tortured. They will argue that forcing a person who is suffering irremediably to continue living amounts to torture or cruel and unusual punishment. They intend to call medical, legal and ethics experts from the Netherlands and Oregon, among others.

The grounds on which they make their case are similar to the international human rights which were recognised by the Supreme Court in Canada and which led to Canada's MAID laws. We, in Australia, cannot make a similar case before the courts, because, unlike South Africa, Canada and many other countries, we do not have a Bill of Rights.

## Portugal

In January the Portuguese Parliament voted to legalise voluntary assisted dying with a decisive vote of 136 - 78. Under the legislation people over 18 would be allowed to request assistance in dying if they are terminally ill and suffer from lasting and unbearable suffering, unless they are not mentally competent.

The law required the president's approval. In February, however, instead of signing it, the conservative president, Marcelo Rebelo de Sousa sent it to the Constitutional Court for review.

The judges rejected the law in a 7-5 ruling, saying in a statement that the law was imprecise in identifying the circumstances under which the procedures could occur.

Hopefully the governing centre-left Socialist Party, which was the driving force behind the Bill, will now reword the legislation and send the Bill back to Parliament where it is likely to pass again.

## OTHER GROUPS

### Christians Supporting Choice for VAD

The passing of the End of Life Choices (VAD) Bill in Tasmania was an historic achievement. Congratulations to Independent Mike Gaffney MLC, who worked tirelessly to get his Bill through Parliament. Our Tasmanian representative, Norma Jamieson and I worked together to present the Christian case for VAD during that campaign.

In South Australia, our representative, Rev Michael Dowling and I sent two separate letters to MPs, the first introducing our group and highlighting that Christian support for VAD as an end-of-life choice is supported by three out of four Christians. Our second letter, "Die Like a Dog? I wish!", was rather more confronting. However, I circulated this to our members prior to it going to the MPs, asking members for a brief comment and was delighted to receive about 80 very supportive messages, all of which were attached to the letter. We hope the MPs read them. I also posted every MP a copy of my presentation folder on support for VAD from the Christian perspective.

Rev, Dowling, together with senior SA Palliative Care Specialist Dr Roger Hunt, and Susie Byrne representing SA Nurses Supporting Choices in Dying were invited to address MPs at Parliament House on VAD support. I encourage readers to view Rev, Dowling's address on our website under News <https://christiansforvad.org.au/rev-michael-dowling-presentation-to-south-australian-mps/#more-735> His talk covered aspects such as 'If the Christian opponents of VAD assert that "sanctity of life" and "prohibition against killing" are timeless and inviolable Christian injunctions, then they are either wilfully ignorant or just plain disingenuous,' and '... when the person who suffers wishes fervently for their suffering to end, must not our society's compassionate and loving response be to ask, "How can we help to end your suffering?"'

We continue to welcome supporters to our group as we lobby for a VAD law in the remaining states and territories. If you have not already joined us, please add your name

<https://christiansforvad.org.au/add-your-name/>

#### Ian Wood

Spokesperson, Christians Supporting Choice for Voluntary Assisted Dying

## HAVE YOU SIGNED OUR PETITION YET?



We ask members of NSW Parliament to work together to pass voluntary assisted dying laws in 2021. Over 80% of the community believe that dying people should have the right to ask for medical assistance to end their lives peacefully. People are suffering right now and we cannot wait any longer. Every Day Matters!

**Please sign our petition - [dwdnsw.org.au/petition](https://dwdnsw.org.au/petition)**





Andrew Denton has just released a new podcast series picking up where his ground-breaking podcast series *Better Off Dead* left off over five years ago, with a new investigation into the truth of Victoria's voluntary assisted dying (VAD) law: Who seeks to use it, and why? Who are the doctors stepping forward to help them? And how do many church groups continue to resist a law they describe as 'evil'? Co-produced by the Wheeler Centre and Go Gentle Australia, **Better Off Dead season 2** looks at what happened in Victoria after the legislation came into effect in June 2019.

When *Better Off Dead* was released in November 2015 by the Wheeler Centre, it shed light on the reasons why more than 70% of Australians support making VAD legal – and on the powerful forces working to see that doesn't happen. Sparked by Andrew Denton watching his own father, Kit, die painfully at the age of 67, the moral and ethical ripples Denton's *Better Off Dead* sent through Australian politics, and medicine, are still felt today. The 17-part series delved into the arguments for and against assisted dying; described by opponents as 'state-sanctioned killing' yet seen by others as a merciful choice not to suffer.

To make the first series, Denton spent 18 months criss-crossing Australia and travelling the world, talking with doctors, nurses, politicians, ethicists, priests, lawyers and opponents of assisted dying.

Much of his time was spent with the dying and their families. The more he heard their stories of suffering, the more he realised what his father went through was far from the worst. The first series reached more than 50,000 listeners around the world. Many argue it was a galvanizing force in Victoria becoming the first Australian state to make VAD legal.

Now, more than a year into the law's operation, Andrew Denton asks 'how is it working?' In the first year, 124 people received assistance to die, including nurse Margaret Radmore. The simple words she used to explain her decision said it all: *"I choose not to suffer"*.

Still, many church leaders and doctors with a shared world view, continue to oppose the law by speaking of its dark repercussions. Denton looks at their insinuations and at the fears about assisted dying raised in the parliamentary debate, to see if they've turned out to be true. He speaks to those with direct experience of how the law works: the families; the doctors; the keepers of the safeguards; the deliverers of the medication, as well with people who've actually made the decision and are going through the process.

Denton's determination to cast light where others throw shade is unstoppable – or at least it will be until VAD is legally available to all Australians. In 2019, Western Australia joined Victoria by passing a VAD law, and just last month, in March 2021, Tasmania did the same. Later this year South Australia, Queensland and NSW - will be voting on VAD legislation. Denton hopes this series will help give politicians new understanding of the issues they are debating and of what it means to be suffering as you die, with no merciful way out.

*"What struck me was the deep level of integrity and care with which everyone I spoke to approached the needs of the person who was dying. The profound humanity on display, most of all from the families, was only surpassed by the courage of those who made the choice to no longer suffer,"* says Denton.

**To listen or subscribe to *Better Off Dead*, visit [wheelercentre.com](http://wheelercentre.com) #betteroffdeadpod**

## MAKING A DONATION

We are totally reliant on membership fees, donations and bequests to operate.

Donations can be made via our website –

	<b>For more information</b>
	Visit <a href="http://www.dwdnsw.org.au">www.dwdnsw.org.au</a>

Alternatively, you can make a donation via our other payment options.

**Please post your completed form to:**  
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**PO BOX 25**  
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**Or scan the completed form and email the copy to us at [dwd@dwdnsw.org.au](mailto:dwd@dwdnsw.org.au)**

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