



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

**SELECT COMMITTEE ON END OF LIFE CHOICES IN THE ACT**

Ms Bec Cody MLA (Chair), Mrs Vicki Dunne MLA (Deputy Chair), Ms Tara Cheyne MLA,  
Mrs Elizabeth Kikkert MLA, Ms Caroline Le Couteur MLA.

## Submission Cover Sheet

### End of Life Choices in the ACT

**Submission Number: 188**

**Date Authorised for Publication: 29/3/18**

## **To the Select Committee on End of Life Choices in the ACT**

Dear Committee Members

I am a seventy-year old man in reasonable physical and mental health. I have lived in Canberra for over 25 years.

I address the terms of reference below.

Tony Whelan

[REDACTED]  
Gowrie ACT 2904

email: [REDACTED]

Phone: [REDACTED]

### **1. Current practices utilised in the medical community to assist a person to exercise their preference in managing the end of their life, including palliative care**

My Advance Care Directive specifies that if I become medically incapable of living independently in my own home then I do not wish to be kept alive by artificial means. That gives medical staff a guideline for managing my medical condition, but it does not allow me to exercise the right to die should I so wish. So my preference in managing my life's end is not going to be respected by current practices.

### **2. ACT community views on the desirability of voluntary assisted dying being legislated in the ACT**

Over the past thirty-three years I have witnessed the death of three of my family members, two of them peaceful and one not so. I am not afraid of dying. But I am afraid of living in a state of unrelieved helplessness.

I am firmly of the view that there should be a facility that allows people to obtain medication to bring about their own peaceful death. It is far better to provide a regulated process than to have desperate people resorting to the use of a rope to end their lives.

### **3. Risks to individuals and the community associated with voluntary assisted dying and whether and how these can be managed**

Opponents of my right to choose my own death argue that there will be cases where legislative oversight fails; but legislation governing any sort of human activity will always be imperfect. Should we not legislate about any human activity whatsoever, because we can't achieve 100% perfect compliance?

Various models for assisted dying have been in place for many years in a number of countries and states. The risks have always been managed by legislative/statutory guidelines. If these work elsewhere, they will work here.

#### **4. The applicability of voluntary assisted dying schemes operating in other jurisdictions to the ACT, particularly the Victorian scheme**

The Victorian model is far too narrow in its focus. It fails to deal with people whose condition is not terminal but which leaves them in such unrelievable and permanent misery that they do not wish to live.

#### **5. The impact of Federal legislation on the ACT determining its own policy on voluntary assisted dying and the process for achieving change**

The Euthanasia Laws Act unjustly constrains the rights of an elected parliament, making the citizens of the Territories second-class citizens. The Assembly and the ACT federal MPs should press strongly for that Act to be repealed.

#### **6. Any other relevant matter**

The “slippery slope” argument is routinely trotted out by opponents of assisted dying – that if we allow euthanasia there will be an avalanche of abuse.

That argument has a very familiar sound to me. As a gay man I spent the first four decades of my life living under the cloud of possible arrest and imprisonment because of my sexuality. I recall well that whenever decriminalisation was canvassed, conservative groups in society objected that it would “encourage” homosexuality, and would “corrupt” young people. A similar scare campaign was mounted during the recent same-sex marriage debates.

The slippery-slope claim isn’t a logical argument, it is a cheap debating tactic designed to frighten people.

I have had quite enough of ideological rednecks trying to exercise control over my body and my behaviour. Its time to respect my right to choose how I die.