



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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

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Mrs Elizabeth Kikkert MLA, Ms Caroline Le Couteur MLA.

## Submission Cover Sheet

### End of Life Choices in the ACT

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**From:** Terry Dwyer  
**To:** LA Committee - EOLC  
**Subject:** RE: Euthanasia [DLM=For-Official-Use-Only]  
**Date:** Monday, 12 February 2018 10:54:22 PM

LA Committee – EOLC

ACT Legislative Assembly

Dear Sirs

EUTHANASIA

Given there is no Bill before the Legislative Assembly, I can only offer some basic jurisprudential observations.

1. It is implicit in any euthanasia proposal that a person has absolute ownership of himself – a complete property in himself - and can therefore choose to terminate his life.
2. Such a proposition needs to be questioned. John Locke would have seen through it, as would many others. No man ever made himself or knitted his DNA in the womb. The right of absolute property must logically be deduced from the act of creation. It is one thing to have a title to yourself which is good against other human beings - but that is well short of absolute ownership.
3. We have been here before in European history. Ancient Roman law admitted suicide (Seneca's being a notable example) and the right of a *paterfamilias* to expose or kill his children was more or less accepted. Gibbon has some pertinent remarks about the ancient practice of exposure of infants.
4. Further, the ancient Mediterranean world and other cultures, such as ancient China, have accepted the right of a man to sell himself or his children into slavery, whether by reason of debt or starvation. The greater must encompass the lesser. If one is to admit a right of ownership in oneself sufficient to justify a right to kill oneself, then one must logically allow the lesser right to sell oneself into slavery. In that connexion, one notes there are desperate men and women who do precisely that even today and sex slavery is not unknown. Should such things be legalized? It is notable that the House of Lords rejected the theory of absolute self-ownership when it convicted some rather perverted persons engaging in consensual mutual mutilation and I note the ACT Legislative Assembly has (in my view, correctly) not permitted voluntary sex slavery or any other form of slavery such as debt peonage.
5. It may be objected that suicide has been decriminalized. One may observe that the reasons for decriminalization had more to do with the propositions that, first, most suicides are not sane suicides and, second, the prospect of prosecution for an unsuccessful suicide might induce persons to try harder in doing away with themselves. It is no basis for saying others should be co-opted into taking the life of another person, even if it is at his "request".

Yours faithfully

Terence Dwyer

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