



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON END OF LIFE CHOICES IN THE ACT

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Submission Cover Sheet

End of Life Choices in the ACT

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From: Sam Hussey-Smith
To: [LA Committee - EOLC](#)
Subject: Submission to Select Committee on End of Life Choices in the ACT
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To the Secretary,

I wish to make a short submission to the Select Committee on End of Life Choices in the ACT.

According to opinion polling over the last decade, there is a very strong and clear consensus among Australians that voluntary assisted dying is an option they think should be available as part of a person's end-of-life choices. While I haven't seen any Territory-specific polling, my guess would be that Territorians support voluntary assisted dying in numbers higher than the national average. Of course, as part of the ACT Government's consideration of this issue, I would suggest that Territory-specific polling be carried out.

Now that Victoria has legislated a scheme, it is well past time for the ACT to legislate its own scheme. Too many people are dying in too much agony for us not to act. And as our country ages, the problem will become even more acute. People are demanding adequate end-of-life choices, and voluntary assisted dying should be part of that suite of choices.

I encourage the Assembly to lobby their federal counterparts to repeal the outrageous, paternalistic and discriminatory Euthanasia Laws Act which, through a Constitutional quirk, outlaws the territories from legislating on this matter. To that end, I would remind all MLAs that repealing those Commonwealth laws is not legalising voluntary assisted dying, but instead restoring the same rights to citizens of Territories as citizens of states on this issue. I have seen no compelling argument to justify why Territorians should have fewer rights on this issue than residents of states. It's arbitrary and offensive. I would wholeheartedly support the ACT Government expending taxpayers' money as part of any effort to repeal these Commonwealth laws.

Regarding the recently legislated Victorian scheme, my view is that it is too strict. In particular, the timeframe of 'less than six months to live' is unfair and cruel. If we are to really give Territorians genuine end-of-life choices, this timeframe should be extended to at least 12 months, with serious consideration given to 18 - 24 months. That is what real choice looks like.

We are becoming increasingly comfortable talking about death in Australian society, and this is a very good thing. We are bringing death out from the shadows. It's now time for our legislatures to catch up and enact laws that respect people's end-of-life choices. The longer this is delayed, the more ghastly and undignified suicides of old and/or sick people will take place.

Legislating on this issue is difficult. However, Australia is not at all alone in going down this path, and is in fact behind the times (as it has been regrettably, on a number of social issues). There are numerous examples of successful schemes overseas, and these should be drawn upon. When it comes to how people want to die, Australia is not especially different to Switzerland, California, South Korea, Canada, the Netherlands, Belgium or Luxembourg. There has been sufficient experience in these jurisdictions for a bill to be enacted (following the repeal of the Commonwealth Euthanasia Laws Act) relatively quickly and simply, and to provide local physicians with training and support. I would encourage the ACT Government to commence drafting the bill - provided this is not in conflict with the Euthanasia Laws Act - immediately following consultation with the

community as part of this inquiry.

Death can be tragic. But a death that someone exercises personal choice over is hardly tragic. It is dignified and civilised. Giving people the option to die with dignity by utilising a sensibly legislated voluntary assisted dying scheme will make the ACT a better, kinder and more compassionate place.

Thank you for your consideration.

Regards,

Sam Hussey-Smith

Downer, ACT

Ph: [REDACTED]