



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON VOLUNTARY ASSISTED DYING BILL

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Submission Cover Sheet

Inquiry into the Voluntary Assisted Dying Bill 2023

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This submission is presented for consideration by the Select Committee.

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At the outset it is noted that the Bill includes under 'Principles of Act':

- (a) Human life is of fundamental importance;**
- (b) Every individual has inherent dignity and should be treated with compassion and respect;**
- (c) Every individual approaching the end of their life should be provided with high quality, person-centered care and treatment, including palliative care, to minimise their suffering and maximise their quality of life;**

Other principles are included intending to convey a completeness in care and compassion. However, there are contradictions in the Principles in the minds of many. Voluntary Assisted Dying (VAD) is presented as not being suicide or assisted suicide. The Bill provides protections for those engaged in this act of assisting death or for not providing life preserving treatment.

The Bill is presented in a style that incorporates apparent care and compassion but actually fails to uphold the value of life. It is not surprising to find such a Bill being presented by the current ACT

Government. The longevity of the Government seems to allow for a confidence that legislation of this type will pass through the processes with ease.

The culture that is being established, however, is concerning. The laws around abortion do not recognise that every human life is of fundamental importance. If preserving and protecting life is not the fundamental objective of society then assisting death becomes an act supposedly of care and kindness. We either aspire to a culture of life or a culture of death.

The terminology throughout the Bill begins to point directly to the probability of the slippery slope being present from the outset. "expected to cause death", "suffering intolerably", "persistent suffering (whether physical or mental or both)" "other conditions", "anticipation or expectation", "a medical complication that will or might result from....".

Patients are required to make decisions "in whatever way they can". They are "assumed to have a decision making capacity". There is provision for an Agent to sign approvals in some circumstances. In some circumstances VAD can proceed when the patient "appeared to sign the request".

There can arise a form of elder abuse when family or carers are seeking to end their caring role. That can place pressure on older people and it is understood that this can lead to requests for euthanasia.

Vague or ambiguous statements raise concerns particularly for many in the community who watched the 'takeover of Calvary Hospital' in the manner it occurred under the current Government. It seems that every Residential facility caring for patients, including the Hospice, will lose any ethos of palliative care. It will be replaced by cultures that include people present to "inform them of VAD".

The concerns increase for those who sincerely seek a culture of life when they read the Section 159 Review of the Act. It points to a possible expansion of eligibility criteria. It includes :

- (b) Is a child with decision-making capacity in relation to voluntary assisted dying;

There is no explanation of those terms. But it appears that the Minister will have significant freedom to lead in providing ways for young people to die early and most likely it will be promoted as representing concern for their dignity. That represents for me moral confusion at a level that doesn't serve the interests of a healthy society. However, in a nation where there are children already terminated in the womb anything seems possible.

It has become fairly common practise to dismiss views from faith based sources. When that occurs it suggests that the process is devoid of objectivity and is not necessarily focussed on the moral health of society but pursuing an agenda.

ACT Right to Life is non-denominational. However, for the record I will draw from the late Pope John Paul II who sought to speak to all people of good will not just Christians. He said;

"The fact that legislation in many countries, perhaps even departing from basic principles of their Constitutions, has determined not to punish these practises against life, and even make them altogether legal, is both a disturbing symptom and grave moral decline."

He also said:

"Even certain sectors of the medical profession, which by its calling is directed to the defence and care of human life, are increasingly willing to carry out these acts against the person. In this way the very nature of the medical profession is distorted and contradicted, and the dignity of those who practise it is degraded."

I fundamentally oppose this Bill. As a grandfather and long-term member of the Canberra Community I would like to see the next generation receive a culture of life as was passed to us rather than a culture of death.

John Kennedy