



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,
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Submission Cover Sheet

End of Life Choices in the ACT

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From: Patricia Loughlan [mailto: [REDACTED]]
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To: LA Committee - EOLC <LACommitteeEOLC@parliament.act.gov.au>
Subject: Submission to Committee

Secretary, Select Committee on End of Life Choices:

I am a person with a strong interest in the advancement of the social movement in support of assisted dying. I am interested in broadening the public debate beyond the frequent and tragically moving personal stories into the discourse of human rights, a discourse which has helped to bring about so much beneficial social change in other areas in recent time.

The right to control the moment and means of one own death in the face of intolerable suffering is now rapidly emerging as one of the fundamental human rights which The Universal Declaration of Human Rights already recognizes as essential to the 'inherent dignity' of all human beings. The guarantee of this right will and should be a duty which the state owes to its citizens to provide and protect.

In 2015, the Supreme Court of Canada unanimously held that the rights to life, liberty and security of the person, which are entrenched in the Canadian constitution, require that people with a grievous and irremediable medical condition who are experiencing intolerable suffering, should with stringent safeguards, be able to choose to die with dignity and be given medical assistance to do so.

These rights are not specifically in the Australian constitution, but they are found in the Universal Declaration of Human Rights, which is viewed as an expression of fundamental values shared by Australia with all other members of the International community. Australia voted in favor of the Universal Declaration at the UN in 1948.

Support for assisted dying in circumstances of intolerable suffering is also arguably already present in inchoate form in the Declaration in the recognised rights to freedom from torture and freedom of conscience and religion.

The latter may not be intuitively obvious, but notice that as the Catholic Church, in particular, inevitably weighs into this debate with its rules and moral vision being applicable not just to its own adherents but to everyone, specific religious views are being imposed upon those who do not share them and who may indeed view them as being based upon mythology. Although I understand their position and respect their right to take it, I have nonetheless been disturbed by the falsehoods and scaremongering of Catholic and other religious groups in recent public debates on this issue, particularly in NSW.

I would urge this committee to consider voluntary assisted dying as being reflective of fundamental human rights. I do not wish ever again to witness helplessly a human being with rotting flesh screaming for mercy and help as she lies dying. Palliative care may help many people but it absolutely does not and cannot help everyone in their last days.

Kind regards,

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