

Ms Amber-Jade Sanderson MLA

15 October 2017

Chair of Joint Select Committee on End of Life Choices

Dear Ms Sanderson,

Thank you for the opportunity to provide a submission to the Joint Select Committee on End of Life Choices. I am in favour of changing the legislative provisions currently preventing voluntary assisted dying and physician assisted dying for Western Australians. My submission focuses on ensuring reliable evidence is relied on during deliberations on this important issue by the Joint Select Committee and eventually the Parliament.

The Committee's **first and second terms of reference** will examine current medical practice and current legislative frameworks. As editor of the Dying with Dignity WA (formerly WAVES) newsletter for several years, I was charged with examining research material which could withstand claims of exaggeration or falsehood. I encountered many statements presented as factual evidence which were actually moral claims based on the individual's beliefs. One frequent claim, for instance, is that **VAD is killing and killing can never be acceptable**. It derives from a belief that cannot therefore be empirically tested.

Another type of claim I encountered is made by some palliative care practitioners who **deny ever encountering bad deaths or refuse to believe a request for assistance cannot be assuaged by counselling**. Such claims, even if an honest statement of that individual's opinion, does not nullify the quantifiable evidence of serious, inherent limitations in palliative care. Then there are 'empirical' claims based on **unverified evidence about dying regimes overseas** which allege mistreatment of the vulnerable is inevitable and is increasing.

I learnt that it is essential to examine the reliability of all claims about medical practice and legislated dying regimes, no matter how experienced or eminent the authors of the claim. Fortunately there is a large body of published evidence to assist in this, ranging from large scale systematic research and peer reviewed case studies through to verifiable documentaries which record experiences of the best and worst deaths actually being experienced by individuals (for further information on how to judge if evidence is empirical and reliable, I recommend *As Victorian MPs debate assisted dying, it is vital they examine the evidence, not just the rhetoric - 84195*, by health law researchers Professor B Wilmott, A McGee and Professor L Willmott on **The Conversation** website, September 20, 2017).

### Conclusion

In meeting its first two terms of reference, I ask that the Committee:

- 1 require all claims be **substantiated** with reliable evidence; and
- 2 **dismiss claims** that cannot be substantiated or supported by reliable evidence.

In meeting its third term of reference, I ask that the Committee:

- 1 when formulating its recommendations on legislative change, rely **on the evidence based information** it has obtained; and
- 2 include as one of its recommendations that **similar evidence based analyses** be applied by all members of Parliament if and when end of life legislative change is being voted on.

Thank you for your consideration of this submission.

Yours sincerely

Gail Wyatt