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Submission to

The Principal Research Officer
Joint Select Committee on End of Life Choices
Legislative Assembly of Western Australia
4 Harvest Terrace
West Perth WA 6004

We all die.

It is quite a confronting statement – we all die. We spend so much of our lives being shielded from death, even though it is all around us. We see so much of it on TV, and yet we are not encouraged to think about – or talk about – our own eventual death. It is not until most people experience the death of a close family member that their minds are forced to confront the thing we bury deep within us.

How we die matters. I do not think it matters anywhere near as much as how we live, and it is not even as important as the circumstances of our birth. But it is still important.

Human beings are animals. We are born, we live and we die. This is not to belittle the worth of a human life, merely to provide some perspective. There is no explanation for the randomness of any element of that process and yet there are some people who believe that they have the right to control every element of the lives of other people, including how they should die. To my way of thinking, it should be left up to each individual to choose the manner and timing of their death.

No doubt, you will receive many submissions from people who have seen someone they loved suffer agonizingly – often for a very long time – as that life came to an end. I think that this testimony speaks volumes and we should not continue to ignore it. Whilst it is clear that suffering is a part of life, I do not believe that others should be able to dictate how much I should suffer as my life comes to an end.

The Role of Government

I think that there are two basic views of government. The first is that governments should minimize the extent to which they meddle in the affairs of citizens. People should be free to live their lives as they wish, provided that they do not negatively affect other people's lives. The other view is that it is the role of governments to protect and support its citizenry.

The debate over voluntary assisted dying enables government to bring the best of both of these views to bear. As far as possible, we should seek to give people the freedom to live their lives as they wish. That must include allowing them to be free to end their suffering at a time which suits them. However, we must take care to ensure

that each individual is aware of their choices, as well as being free from the pressure to take one or another course of action. In this way, the government can safeguard the individual.

The Role of Politicians

One role of politicians is to very carefully weigh up opinions. I urge you to be careful to not pay too much heed to those powerful voices on the conservative right, be they church leaders, newspaper columnists or former Prime Ministers, who believe that they speak with some sort of moral authority. Certainly, they are entitled to their opinions, but such opinions should count no more than those of other citizens in this matter. They seem to lay claim to idea that they are the protectors of all that is good in society, implying that those who oppose them are somehow morally bankrupt.

The other role of politicians is to act on the will of the people. On this issue, it is clear that the majority of people believe that legislation should reflect an individual's right to choose what happens at the end of their life if they suffer from a terminal illness.

Beware the Empty Vessels that Make Much Noise

When someone like Tony Abbott tells us that passing legislation will be a "sad milestone in our decline as a society", I don't know whether to laugh or get angry. How dare someone who has contributed so much to a decline in the standards displayed by public officials lecture us on what constitutes a decline in society?!

The churches and their mouthpieces in the media seem to think that they have some sort of moral superiority in this matter; that they are keepers of society's values. My view is that they would do well to examine their own behaviour in relation to protecting innocent people before they rush to impose upon the rest of us their view of what is moral. I believe that they have forfeited any privileged position they may think they have to make comments related to matters of ethics and morality.

Paul Keating spoke of "the protection of our most valuable asset; the essential human rights of the citizenry". I think to myself, what could be a more precious human right than the right to decide to end terminal suffering? I struggle to understand how anyone can claim to live in a free and liberal society and still advocate for the denial of such a right. I wonder what freedom really means if all it involves is cow-towing to the views of a group of church leaders.

It is hyperbole for Mr Keating to suggest that, in passing sensible legislation, we are turning our backs on hundreds of thousands of years of evolution. The legislation would do quite the opposite – it would be one of the highest expressions of the love that people have for each other: it would enable us for the first time in history to recognise that, at some point, the pain and suffering of existence outweigh the point of staying alive.

Reframing how we think

People like Abbott and Keating make much of the sanctity of human life. In a way, this is intellectual arrogance. Human life gets disrespected in so many ways every single day, I find it unconvincing that the best thing we can

do to show we value life is to make it last for as long as possible, when doing so inflicts great cost and unnecessary harm on the individual. How much better we would be to actually find a way to protect little children from violent or drug-affected adults. How much better we would be to find a way to ensure the highest quality health and education for everyone. How much better we would be to find ways to respect people regardless of their background. What a powerful thing this would be to show that we respect human life.

The passage of Voluntary Assisted Dying legislation is really an opportunity to reposition society's values. It offers us the possibility of giving full weight to a human right that has been manipulated by the Church for centuries. It offers us the chance to return control to the individual, a central tenet of western liberal democracies. It offers us the opportunity to bring the highest of human values – kindness and compassion – to bear at the end of a life, as well as seeking to have these guide us throughout life.

The Victorian Bill is a sensible attempt to ensure that due care is taken. It offers sensible safeguards. It protects people working in the medical profession, but also allows them to be involved in demonstrating compassion. The ultimate act of compassion is surely to allow someone to choose to end their suffering, even when we want them to stay with us.

Some people seem to think that passing such legislation will unleash a wave of selfishness and cruelty which will mean relatives actively seeking to end the lives of their elderly family members. Perhaps that says more about them than about the rest of us. I wonder what sort of view of humanity such people have, to think that there is some great evil lurking somewhere just below the surface. This view demands that narrow self-interest will trump all other considerations. I choose to view humanity differently; I choose to see the good in people. I choose to believe that people will act with love and compassion towards those in their family, and that the doctors involved in the process will do the same. Doctors should always act in the best interests of their patients. For some reason, ending their suffering when there is nothing else a doctor can do is not considered as acting in the patient's best interest. People may say that this is a naïve view, but I believe that there is more evidence in the world today for the kindness in people than for their greed and cruelty. The fact that we somehow choose to fill our news with the bad does not mean that there is no good out there. Our negativity bias may make it harder to see, but compassion is there in abundance. The Netherlands is no less compassionate a society than ours; indeed, you could make a strong argument that they are more so. So too Switzerland, or the state of Washington, or any of the other jurisdictions that already have some form of legalized assisted dying legislation.

Neither you, nor Tony Abbott, nor any other person, should be able to tell me that I am not allowed to die with dignity. We all die. I believe that, if I live long enough and I wish to exercise it, I should have the right to decide when my life will end. I do not seek to dictate how others end their lives. If they wish to continue to suffer, then they should be allowed to do so. But I should also have a choice. At the moment, I do not get that choice.

I hope that you will do what is right and fair and in the best interests of the citizenry of this state. I would be more than happy to appear before the Committee if you wanted me to, although I understand you will have many others who wish to have their say. I doubt that there is anything I could add to the information already at

hand, but I feel compelled to write to balance the views of those who dominate the media without actually representing the majority of the people.

I wish you well with your deliberations.

Best regards

James Hindle