

South Australian Voluntary Euthanasia Society Inc. (SAVES)

Patron:

Emeritus Professor JA Richardson

Internet: <http://www.saves.asn.au>



Please reply to: **Address:** PO Box 2151, Kent Town SA 5071

Phone: (08) 8379 3421

13/6/01

To all members of the House of Assembly and the Legislative Council

Dear Member,

Voluntary Euthanasia and the Common Good: The Social Development Committee got it Wrong

You will hear in the debate on the Dignity in Dying Bill 2001 that a law permitting voluntary euthanasia must run counter to the common good. This was the principle theme of the Report of the Social Development Committee on its Inquiry into the Voluntary Euthanasia Bill 1996. For example, the Chairperson of that Committee, the Hon Caroline Schaeffer, concluded her presentation of the report to parliament with:

“the majority of committee members are opposed to the legalisation of voluntary euthanasia and physician assisted suicide because we do not believe that individual autonomy should have precedence over the greater good.”

But this would not be the effect of a law respecting individual conscience and right of self-determination in a democratic society. While it is unquestionable that government should protect the broad interests of society, the Committee majority was wrong to think:

- (a) that no social harm results from the present law, or
- (b) that society would be more harmed by legalising voluntary euthanasia.

This is shown in the attached outline of pros and cons.

Sincerely,

**Frances Coombe
President**

Voluntary Euthanasia and the Common Good: Pros and Cons

Under the present law:

- a doctor who “intentionally” hastens or causes the death of a patient can be charged with murder, but a doctor who does it in the course of symptom control has engaged in sound medical practice. Intention in the mind of the doctor cannot be determined with certainty and is therefore a poor basis for social policy. Such a policy is inherently open to uncertainty and abuse.
- patients on life support can end their lives by refusing treatment. That option is not open to patients who are not on life support. The law is discriminatory and contradictory.
- unwanted suffering is perpetuated. This is a cruel denial of human dignity.
- The judicial system can be faced with a dilemma between justice as defined by the law and mercy that it is not equipped to resolve.
- a significant proportion of doctors when surveyed admit to practicing both voluntary and non-voluntary euthanasia as an act of compassion and concealing the fact. Contempt for the law and deceit are encouraged by prohibition instead of acceptance and regulation.
- patients who want the option of a medically hastened death have to go “doctor shopping” for an illegal act to get their wishes respected. Many will lack the ability to pursue this inherently difficult task and some will be more fortunate than others in it. This is inequitable.
- it is claimed that doctors would use voluntary euthanasia as an opportunity to end a patient’s life for unworthy motives. A society that cannot trust its doctors cannot trust itself.

Under a voluntary euthanasia law:

- greater respect for the inherent value of human life will be shown by provision for:
 - acts of compassion towards those suffering without hope of relief except death and
 - self-determination at the end stages of life
- trust in doctors will be enhanced when:
 - the dying process can be discussed openly between doctor and patient and
 - there are legally defined safeguards for the practice of voluntary euthanasia, backed by guidelines administered by the medical profession.
- confidence in the legal system will increase when:
 - doctors are no longer criminalised for a compassionate response to a justifiable request and
 - their actions are openly monitored.
- many, particularly the elderly, will be better able to enjoy their remaining years in the knowledge that the option of euthanasia will be available to them if needed.
- The high rate of suicide among those aged 75 years and over will be reduced, the appalling methods used will be needless, and anxiety will not drive them to take premature action for fear of losing capacity.

When we weigh the pros of regulated compassion against the cons of total prohibition, it is clear which results in more social harm. It is legalised voluntary euthanasia that will serve the greater good of society.

For further information, please contact the South Australian Voluntary Euthanasia Society at P0 Box2151, Kent Town SA 5071, or visit their web site:

<http://www.on.netclients/saves/>