

**Submission
No 18**

**INQUIRY INTO PROVISIONS OF THE VOLUNTARY
ASSISTED DYING BILL 2021**

Organisation: Rationalist Society of Australia

Date Received: 18 November 2021



Submission to the NSW parliament on Voluntary Assisted Dying legislation

18 November 2021

“Death is an emotional subject. It involves acknowledging our own mortality and the mortality of those we love. It is not a discussion that can be based only in data and scientific facts. The only irrefutable facts we can bring to the table is that 100% of people die. In this, we do not get a choice. For some people death will be peaceful after a long and fulfilling life, but for others it will entail unbearable suffering. Most people do not want to die. Nobody wants those they love to die. However, sometimes the need to stop the suffering overcomes the instinct to avoid death.”

An RSA member

VAD legislation would not cause additional deaths

The proposed NSW VAD bill, if passed, will not *cause* one additional death. Only those already at the end of their lives would be eligible to access VAD. They are terminally ill; they are already dying. What the proposed legislation would do is allow the person a choice over how much suffering they are able and willing to endure, and to choose, if they wish, not to endure any more.

Suicide is not illegal in NSW. We have all heard stories about terminally ill people committing suicide. Methods vary, but they are all shocking, done in secrecy for fear loved ones will be held accountable for assisting. These are unbearably lonely deaths.

Making VAD an option when people are suffering so intolerably that they are prepared to take their own lives through suicide is a compassionate thing to do.

Palliative care

Involuntary euthanasia already occurs in palliative care. People are given large doses of medication to lessen their pain; the increasing dosage required leads to death – but not immediately. Before death, they must endure a twilight world of being not-quite-dead but not-fully-alive either. Doctors are fearful of being accused of *causing* death, so they place the patient in a sort of suspended animation, waiting until the organs fail and a 'natural' death occurs. Leaving people to suffer in this way is not compassionate; it is cruel.

At present, people can choose to refuse treatment, including food and water. Such a choice can entail a lingering death, whereby the person dies malnutrition and dehydration. These people have chosen death over a continuation of their suffering, but they should not need to make such an excruciating choice. When palliative care fails to alleviate suffering it is not extending life, it is extending death. VAD doesn't change the fact these people are dying; it just changes how their deaths are going to be.

Opponents of VAD often state that better funding for palliative care will allow people to die with their dignity without suffering. The Rationalist Society of Australia agrees that palliative care needs proper funding, but palliative care does not work for every individual. For a small cohort of individuals, no amount of palliation works and they should not be made to continue their suffering. Of the 900 applicants for a VAD permit under Victorian legislation, the vast majority (88.2%) were already accessing palliative care at the time of their application.

Statistically, the number of people who chose to utilise the medication in Victoria shows that palliative care failed to alleviate the suffering of at least 332 people over a two-year period. Not a large number, but it is 332 people that palliative care failed and who voluntarily chose death over continuing to suffer.

VAD a sound and compassionate option

Instead of a drawn-out process of suffering until death, the proposed NSW law would formalise a process whereby the terminally ill can end their suffering at a time they choose, surrounded by whomever they choose.

With its extensive safeguards, the proposed legislation would assure the person, their friends, their family, and the entire community that this was the person's voluntary choice, and not a choice foisted upon them by others.

Australians want VAD as an option, including religious Australians

As elected representatives of the people, decisions on passing legislation should give great weight to the will of the people. In 2019, 80% of Australians were in favour of legalised VAD. Of Catholics the number is 74%, of Anglicans the number is 78%¹. Many of these Christians may believe that life is sacred, but many also believe that relentless suffering should be alleviated and that legalised VAD, with adequate safeguards, is the compassionate answer.

¹ Neil Francis, Religiosity in Australia Part 1: Personal faith according to the numbers, May 2021, Rationalist Society of Australia.