

Marshall Perron Address

16th April 2008

The *Rights of the Terminally Ill Act*, passed by the Northern Territory Legislative Assembly in 1995 was based on a relatively simple principle:-

“If there are terminally ill patients who wish to end their suffering by accelerating inevitable death, and there are sympathetic doctors who are willing to help them die with dignity, then the law should not forbid it.”

We in the Territory believed law reform was needed to formalise and decriminalise a practice, which occasionally occurs now, but a practice for which most patients regrettably cannot find sympathetic doctors prepared to risk their careers and liberty.

For a brief period of 9 months we had such a law. In that time, four people used it to seek relief from intolerable suffering through death.

Our opponents predicted disaster—the very fabric of society would crumble.

To describe if the *Rights of the Terminally Ill Act* was responsible legislation I quote to you the words of a man who voted against it being adopted.

The Hon. Denis Burke, a catholic who had the job of administering the *Rights of the Terminally ill Act* while it was in operation said after the law was vetoed by the Federal Parliament:-

“As Attorney General and Minister for Health the duty fell to me more than any other member of this house, to defend what I believed to be truly democratic legislation. It was a pleasant duty. I was well able to put aside my personal opinions and debate, on a number of occasions, with commentators who sought to question the merits of the legislation and attempted to find weaknesses in it. While it was in operation, I can say honestly that I thought that it was good legislation in that, once passed by this House, it survived every attack by academics and theologians.

When it was finally overridden, one would have to say is all honesty that that legislation needed not one word of amendment in terms of its workability in delivering the intent of the legislature.”

Those are the words of a man who originally opposed the law, had the job of overseeing its implementation and who later become the Chief Minister of the NT.

Oregon in the United States has for ten years now allowed its adult citizens a right to physician assisted dying in limited circumstances. The law has operated with great scrutiny from every quarter and has demonstrated that responsible safeguards can be devised to render the practice safe from abuse.

Studies backed by the Oregon government have shown there has been no cause for concern that the so called ‘vulnerable’ in society are at risk ... There is not a sign of the slippery slope!

Time to Stop Pretending

It's time we stopped pretending doctors are not helping people die without safeguards or scrutiny—time we stopped pretending palliative care satisfies every patient's needs—stopped pretending elderly citizens are not choosing to die violently in fear of an undignified or painful death.

Just under three million Victorians of voting age want their Parliament to adopt a dying with dignity law. That's a mandate politicians ought to get excited about.

Here is an issue, which will relieve fear and suffering, reduce violent suicides, restore dignity and extend lives.

Responsible legislation should be boldly put on the Victorian Parliamentary agenda with a demand it be debated.

After all, you are not asking your Politicians to lead—you are asking them to *catch up!*

Catch up with the 30 million in Europe and the United States who have access to medical assistance to die with dignity.

Catch up with the million Victorians who want the dying with dignity option.

Let's get on with it!

Marshal Perron

Former Chief Minister of the Northern Territory