

“DYING WITH DIGNITY”

Thank you Neil.

And thank you for the opportunity to stand before you today and publicly state that I support the right to “Die with Dignity”.

As a proud Liberal, I am also a husband, father and grandfather who has seen members of my direct family, my mother, my brother and sister die suffering from various cancers including lung, brain, bowel and liver cancer that caused them unnecessary suffering to the end of their lives.

I don't want this to happen to myself, my wife, my children or my grandchildren and I trust that from this display of public support that we can move a Private Members Bill through the Victorian Parliament that will allow citizens of Victoria and Australians in general the right to die with dignity in a caring and peaceful way.

We know there are doctors that care, that will assist humans with terminal illnesses who suffer debilitating pain and at times agonising treatment but these caring doctors are risking their careers and possible imprisonment to assist other humans to achieve a comfortable and peaceful death.

“Dying with Dignity” Victoria are a good organisation that care about people, they are people that put themselves up before the people of Victoria to plead the case to allow people to die with dignity and not have to force some of them to die an undignified self inflicted, lonely and often violent death.

This of course adds to the trauma, shock, sadness' and anguish of the family and friends who are left behind to clean up the resultant mess of a life that could have ended peacefully.

As we are all aware an enlightened Perron Northern Territory Government approved Legislation in 1995 known as “The Rights of the Terminally ill Act” to allow the terminally ill to die with dignity in the Northern Territory. Unfortunately that law was overridden by Federal Legislation.

We need Legislation here in Victoria to allow people who suffer pain and the undignified loss of their faculties to be able to die with some dignity in a caring and loving way.

Support for this type of Legislation is overwhelming with 73% of Victorians and Australians in general saying, yes to the right to have the final say in ending their lives peacefully.

It is often suggested that palliative care is the answer, and it is, if you choose it to be, but people in Victoria or should I say Australia don't have that choice, they still die but they also have to suffer to their last agonising breath.

We should have the right to choose when the suffering should end; our doctors should not have to risk the available legal sanctions to end somebody's life to end their suffering. They should be protected.

I am aware that my standing up here today will make me a target for the religious zealots that are not able to understand that God, my God doesn't want his people to suffer pain and agony from terminal illnesses.

As a God loving Christian I ask the zealots to have some consideration for other humans that would like to die with dignity surrounded by family and friends.

Today is "Steve Guest Day", a day when we remember a man that in his dying days rang 774 ABC radio in 2005 and spoke of changing the law to stop the suffering of people who have no hope of recovery who choose the right to seek medical assistance to die peacefully.

Unfortunately Steve lost his battle with cancer and passed away 26th July 2005.

Let us remember Steve and his courage to raise awareness of legally ending people's suffering.

The feedback from listeners who phoned the station after listening to Steve was overwhelming and highlighted the need to bring proposed Legislation forward.

We must also consider the feelings and anguish of family members and friends who see their loved ones suffering in the way they do, and being helpless to do anything to assist.

Steve died of Oesophageal cancer, others may suffer from other various forms of cancer, multiple sclerosis, brain tumours, motor neurone, severe strokes, leukaemia, Parkinson's disease, pneumonia but all of them suffer from a terminal illness and all would have wanted to die and end the pain and suffering.

They would have wanted to die with dignity.

Ladies and gentleman how long should humans have to suffer the indignity of having their lives extended with medications, palliative care treatment, chemo therapy, radiation therapy, new drugs and old drugs, treatment to extend their suffering, when all they want to do is to die with dignity and to end the pain.

I would like to thank the organisers of this rally "The Dying with Dignity Victoria" group and its committee, particularly Dr Rodney Syme with whom I have spoken on many occasions. Without people like Rod Syme and Neil Francis we would not be here today talking and thinking about ending people's suffering.

I, with no degree of hesitation commit myself to assisting in any way possible to introducing Legislation into the Victorian Parliament to allow people to die with dignity.

I have read and fully support the proposed Legislative Charter which proposes four main Legislative Principles which;

- 1) Allows people with a terminal or incurable illness that create profound suffering the right to die with dignity in a manner and timing acceptable to themselves and not be compelled to suffer beyond their wishes.
- 2) That does not compel people, groups or organisations to participate or not participate against their will in an assisted or supported death of a sufferer.

- 3) That it shall not be an offence to confidentially advise a sufferer, relative / guardian regarding death with dignity, to assist or support such a death or be present at the time.

- 4) And that sufficient safeguards are in place to prevent abuse of the process.

I also support the *specific exclusions* that would allow assisted or supported death for individuals who are not suffering a terminal or incurable illness causing profound suffering, nor for people who are unable to properly document their choice in a state of mental competence. Or for the use of the so called "Peaceful pill".

I do not agree with the actions of Dr Philip Nitschke as I think his direction is against the principles proposed by the *Dying with Dignity Victoria's* proposed Charter and I think his actions bring the whole argument of dying with dignity into question.

I again stress the point that "Dying with Dignity" should be a choice for people who are suffering with terminal diseases and as Victorians we should have a right to choose.

Thank you for your time, I hope you can go away from this rally today with a determination to do what you can to assist us in pushing through the proposed Private Members Bill for our loved ones to be able to die with dignity.

*Written & authorised by Ken Smith MLA
Member for Bass*