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Published by
Dying With Dignity Victoria Inc
Reg No: A00006974B

e: dwdv@dwdv.org.au
w: www.dwdv.org.au
t: (03) 9877 7677
f: (03) 9877 5077

3/9 b Salisbury Ave
Blackburn 3130 Victoria

Patrons: Sir John Holland
Sir Peter Derham
Mr Julian Burnside QC

President: Mr Neil Francis
Vice Pres: Dr Rodney Syme
Secretary: Ms Janine Truter
Treasurer: Ms Alana Bourke
Committee: Dr Ralph Blunden
Mr Alan Rosendorff
Dr Max Sutherland
Ms Jenny Thompson
Mr Mike Tinsley
Office: Mrs Rowena Moore

Steve Guest Day Rally 2008

OUR STEVE GUEST DAY RALLY in June last year was a great success and got our message to Victorian Parliamentarians that reform is due.

Steve Guest died in mid 2005 in the company of loved ones after taking the barbiturate Nembutal. Sadly, very few terminally ill people get to choose their time and method of dying peacefully as Steve did, and law reform is needed to fulfil the will of the people.

Eighty-two percent of Victorians are in favour of reform, and it has been a majority opinion for over 25 years.

So the rally is on again this year, and a bit earlier to hopefully avoid the colder weather!

This is a unique opportunity to demon-

strate your support for Physician Assisted Dying (PAD) and to take your message directly up to our Parliament.

After years of ignoring Victorians' wishes on PAD, the time has come to press politicians into action. To underpin this message, the theme of this year's rally is *Let's get on with it*.

High profile speakers will be putting their point of view, and to make sure politicians hear your voice as well, put this engagement in your diary now:

DWDV Steve Guest Day Rally
Steps of Parliament House, Spring Street
12:30pm for a 1pm sharp start
Wednesday 16th April 2008



Annual General Meeting

How time flies...it's a year since our last AGM.

This year's AGM promises to be an absolute corker as we've managed to secure another wonderful keynote speaker. Well known to all of us for her research into sexuality and for her public profile and engaging style, Bettina Arndt will be sharing her experiences of loved ones dying with dignity and how it's affected her public stance on the issue.



Bettina Arndt

It promises to be an enlightening and highly entertaining presentation.

In addition to our keynote speaker, we have some important Society matters to attend. We are realigning our financial year with

the "normal" financial calendar, and need to change the Society's constitution to allow this to happen—which needs members' votes.

Since our constitution was written, both State and Federal Privacy laws have been enacted, and our constitution is now out of step, potentially breaching those laws. Changes are required to adequately protect the privacy of members, and your vote at the AGM is critical in getting this done.

Remember to bring along the last of your Petition forms for the Upper House, too. We will ask a member of Parliament to table the Petition to the Council shortly after the AGM.

We look forward to seeing you there—put it in your diary now so you don't forget!

1:30pm for 2pm start, Saturday 23rd February, Ruyton Hall, 12 Selbourne Road, Kew (behind MLC; Melways 45 E7).

Trams: No 16 from Glenferrie station to Wellington Street; No 109 from Beacon Cove/city or Box Hill, alight at Glenferrie Road. Local parking.

Note: Excellent sound system at venue.

From & far near

Senator Bob Brown's Bill

Correction: in the last newsletter we said Senator Brown's *Australian Territories Rights of the Terminally Ill Bill 2007* was to overturn the effect of the Andrews bill of 1997. It wasn't. The bill is to confer rights in some Australian territories, in the group of which the NT and ACT are not included. We apologise for the reporting error.

AMA Still Out of Step

In a curious media release during the recent Federal election, the AMA reported that an independent survey of doctors found that 51% of them believed the AMA's health policies for the election were the best of all health policies put for the election.

AMA President, Dr Rosanna Capolingua, claimed the survey showed that the AMA was the best advocate for Australia's GPs and their patients.

In actual fact what it does show is that *half* of the surveyed doctors *didn't* think the AMA's policies were the best—a sad indictment of the supposed peak body for doctors.

Dr Rosanna Capolingua is opposed to physician assisted dying (PAD) and doesn't represent the views of her members on that issue either.

Professional surveys show that 96% of doctors believe a patient's request to

die can be rational, 59% believe that actively hastening death can be right, and 52% believe that their professional organisation should approve PAD.

Anniversary of Ottawa Death

It was recently the two-year anniversary of the death of 78-year-old Ottawa man Marcel Tremblay.

After years suffering a debilitating lung condition, Tremblay invited his family and the media to be present at his death, which he accomplished by the helium method.

To ensure that no one would be prosecuted, he allowed no one to help him set up and use the helium equipment.

The case certainly achieved his intended aim: to raise the level of debate about dying with dignity on one's own terms, in Canada.

Dignitas Still Homeless

Dignitas has sparked spirited debate in Switzerland for helping two German men separately to take their own lives in vehicles in a parking lot.

The circumstances had been somewhat forced on Dignitas because it had been evicted from its former operating premises—an apartment in a residential block. Dignitas has failed since then to find itself an accepting landlord so that

they can continue providing choice to the terminally ill.

Canadian Farmer Denied Parole

Canadian farmer Robert Latimer recently appeared before the parole board...and was denied parole for ending his disabled daughter's life.

She was a bed-bound quadriplegic contorted by cerebral palsy, twisted spine seizures, chronic vomiting and the mental capacity of a four-month old baby. Doctors has suggested she have major surgery to attempt to repair a permanently dislocated hip, which they advised would result in incredible pain.

In 2003, while the rest of his family was at church, Latimer placed the girl in his pickup truck, piped the exhaust into the cabin and left the motor running.

Later, he confessed his actions to the authorities, always making it clear that his only wish was to halt his daughter's incredible suffering. Canada's Supreme Court ruled that he must serve a minimum of ten years for second-degree murder.

He will not be eligible for parole until December 2010. Latimer tries to keep his farm running from gaol by "remote control" through his wife and family.

India Tries Again

A private member's bill to allow the incurably ill who are permanently bed-ridden, unable to care for themselves and suffering intolerably is to be introduced into the Indian Parliament. PAD is currently illegal in India.

More news at www.dwdv.org.au/news

Open Garden a Hit

Olga Hilton held an open garden at her superb property in November. Attendance was excellent and Olga donated half the proceeds to DWDV.



Photo courtesy of Newspix / Trivis McCue

Olga, we thank you for your wonderful community spirit and generosity—an example for us all!

Victorian Doctor's Survey Shows Support

A study just published in the prestigious *Journal of Medical Ethics* shows that doctor support for physician assisted dying (PAD) is in the majority. Fifty eight percent of Victorian doctors indicated support for the legalisation of PAD, similar to results found in previous professional studies.

In addition, a third of the doctors surveyed (35%) acknowledged that they had already administered medication with the intention of hastening death, in order to alleviate a patient's suffering.

Ninety four percent said that a patient's request for withdrawal of treatment could sometimes be reasonable, and sixty five percent believed that requests for PAD could sometimes be reasonable. Opposition was based most commonly on moral and religious commitments.

The greatest confusion was shown around the term "euthanasia". The word has no accepted single definition, covers a wide range of medical actions (and some non-medical) which are intended to provide palliation of suffering.

If a terminally ill and suffering patient requests help to die, then it should be acceptable in practice *and* in law. It seems a majority of doctors agree.

President's Message — Let's Get On With It

Pessimists did not prevail! Let me explain. There were those before the Federal election who said our polling of candidates on PAD would not make a difference. It certainly did.

We not only have a clearer picture of new Federal Parliament members' disposition towards PAD, but may have tipped the balance in at least one electorate as well.

Many politicians assume that a positive disposition towards PAD is a vote-loser. But look what happened in the seat of Corangamite (Geelong to Cape Ottway).

Labor Candidate Darren Cheeseman won the electorate by less than 1% of the vote—a very tight contest that saw counting continue long after election night.

Cheeseman responded to our survey with qualified support for our Legislative Charter. The Liberal, defending candidate, Stewart McArthur, failed to respond at all despite our asking him

several times for his position. It seems fairly amazing that a candidate would expect the support of his constituency...by steadfastly ignoring or avoiding them during a campaign!

With active DWDV members in the Geelong area, it is entirely likely that McArthur's hubris helped evict him from the seat he had held since 1984.

Action does make a difference!

Sadly, a smear campaign run by right-to-lifers stymied Philip Nitschke's bid to unseat Kevin Andrews in Menzies. However, Andrews is now consigned to the opposition back bench after his controversial heading of three different ministries in the Howard Government.

On another note, I've been participating in a Government Advanced Care Planning advisory committee which will in a few months be making recom-

mendations to the Minister for Health, Daniel Andrews. The professionalism and good will of the committee members looks like it will culminate in strong and worthy recommendations.

Our year ahead is a very exciting one. Your Committee has been working hard behind the scenes and we now

have a draft bill, the *Medical Treatment (Physician Assisted Dying) Act 2008* completed, and members of Parliament ready to sponsor the bill through both Houses.

The Premier's office has promised to permit the bill passage through committees and the houses provided it doesn't interfere with Government business. And we need to make sure there is no gratuitous "interference" just to avoid the issue.

The message is crystal clear: LET'S GET ON WITH IT!

Neil Francis



To Die Well—Book Review

To Die Well: Your Right to Comfort, Calm and Choice in the Last Days of Life, by Sidney Wanzer and Joseph Glenmullen, Da Capo Press, 2007.

The authors of this book are very much concerned with making the end of our lives as comfortable, bearable and consistent with our competent wishes as is possible – but they also look forward to what is desirable in terms of changes to medical practice and law that would assist in achieving this goal. The book has many brief and tragic case studies to exemplify and support the arguments deployed to justify autonomy and choice in end of life matters. Both authors are medical doctors who draw on their long experience to provide a very compassionate and sometimes a controversial case for dying with dignity.

The authors identify two crucial 'turning points':

The first medical turning point near the end of a person's life is the time when the patient turns away from aggressive treatment aimed at restoring health and opts instead for comfort measures to ease the dying process. A second turning point may occur in a very few patients who are suffering intolerably in spite of comfort measures that are properly administered, such that the patient wishes to hasten dying and thereby shorten the period of suffering.

What is suffering intolerably? The authors argue that this is a subjective judgment that will differ from patient to patient and therefore, it is the patient who should decide. In cases where a patient becomes incompetent then the matter rests with what planning the person has done when competent, such as establishing a medical power of attorney with

an agent – usually a member of one's family.

For those who do not have friends or family – and there are such people in our community – the next best thing, the authors suggest is a Living Will (format available from DWDV office). Whatever advance notice is given for what we might desire for our future selves the authors suggest that we discuss the matter fully with those involved, such as our doctor. Do not think, they warn, that because a doctor listens sympathetically that he or she is agreeing with you – make sure that you have an explicit undertaking by the doctor that he or she will follow your wishes.

In a very useful chapter the authors distinguish between and discuss the difference between sadness at the end of life and clinical depression. The reason why this is useful is that there are still some people who seem to believe that no one in their right mind would contemplate ending their life. Hence, anyone who wishes to do so must, so these people believe, be suffering from some sort of depression or mental illness (and, hence, should not be permitted to end their lives).

There is much good advice given in this book to allow for a merciful death. The book discusses the options available to hasten one's death; the part played by pain and its control and has a range of appendices.

It is a very readable book and the case studies in themselves are fascinating and demonstrate that though we are more rational and merciful than we have been in the past there are still practices that deprive patients of their self-determination.

Ralph Blunden, DWDV Committee

Dr Syme Book Due Soon

DWDV Vice-President Dr Rodney Syme has written a book about his experiences over 30 years advising and assisting people with intolerable and unrelievable suffering. It is the story of a personal journey of discovery, learning how to ethically and professionally help such people, in a theoretically hostile legal environment.

The book reveals the variable contexts in which such assistance occurs and highlights many diverse facets of medically assisted dying. It lays down a challenge to palliative care and to our legislators.

The book is being published by Melbourne University Publishing and will be in the bookshops in May this year. DWDV will have available a number of copies that are personally autographed by Dr Syme. If you wish to obtain a signed edition, contact the DWDV office now to reserve your copy.



Dr Rodney Syme, whose book is due out in May.

DWD Chapter Meetings

Members in Geelong are reforming the Geelong DWDV group. Share your thoughts with members of a similar mind and hold discussions on relevant issues. Get help with filling out the necessary forms that help explain your end-of-life treatment preferences and protect your rights. All those interested are cordially invited to attend the inaugural meeting (already strongly subscribed). Please call the office before 31st January to confirm your attendance:

10 – 11am on Thursday 7th February
Christ Church Sunday School Hall
Corner of McKillop & Moorabool Streets, Geelong

The DWDV Committee has also reserved funds for any group that wishes to set up a local chapter in Victoria, and can provide secretarial assistance to notify members of meeting dates, etc, and include notices in this newsletter.

If you are interested in setting up a chapter in your area, talk to Rowena in the office to discuss options.

There are excellent chapters already active in the Ballarat and Mornington areas.

Ill Treatment—Defence

Have you or a loved one's requests for refusal of treatment or maximal palliation been ignored or overruled by doctors? Has it caused significant distress and suffering?

If so and you would like to take action on the matter with friendly assistance, contact our office for a discussion.

We may be able to refer you to legal counsel for free professional support in defending your rights.

Unless doctors and institutions that act badly are held to account, poor treatment will continue to affect those who follow us.



Definitions

Humorous definitions of the month:

- *Control bleak* (n), a person who believes it is worthy and valuable to force others to suffer against their will.
- *The rod squad* (n), a group who believes that anyone who disagrees with them on "moral" matters should be punished.

Workshops

Receive a set of documents to help specify your own end-of-life wishes. Experience two and a half hours of expert tuition in a friendly atmosphere; how the current law applies to you, as well as how to complete, witness and store the DWDV documents to maximise your protection. *"Very helpful, lucid and clear explanations of a difficult theme."*—Attendee

Eastern suburbs workshops

Monday 11th February, 10am-12:30pm

Monday 14th April, 10am-12:30pm

Easy access by public transport

Member Pensioner: \$20

Member Non-Pensioner: \$40

Non-member Pensioner: \$40

Non-member Non-Pensioner: \$80

Reserve your place on 9877 7677 now.

Workshops fill up fast!

"Ignoring death

leads to less

prosperous living."

Michael Largo

(paraphrasing the
Dalai Lama
& Kirkengard)

Tix Going Fast!

We have just a few fundraiser tix left for this year's biggest musical hit, the exhilarating *Guys and Dolls*—so call the office to reserve yours before they're all gone!

1pm matinee at the Princess Theatre, Wednesday 9th April 2008. Tickets are \$79.90, a saving of \$10 on the regular A Reserve for this stunning, fabulous, pick-me-up show.



(Photo is of original UK cast.)