



Dear Senator,

### **Concerns re Restoring Territory Rights (Assisted Suicide Legislation) Bill**

Calvary has serious concerns about Senator David Leyonhjelm's Restoring Territory Rights (Assisted Suicide Legislation) Bill 2015—a bill designed to allow for the introduction of physician-assisted suicide and euthanasia laws in the Australian Capital Territory (ACT) and Northern Territory (NT).

Since the establishment of Calvary in 1885, with the arrival of the Sisters of the Little Company of Mary in Australia, Calvary has become well known for the compassionate provision of health, aged and community care to the most vulnerable, including those reaching the end of their life.

As a large not-for-profit health care provider Calvary now has more than 12,000 staff and volunteers across 15 public and private hospitals, 17 retirement and aged care facilities, and a national network of community care centres. We operate across six states and territories within Australia, including in the ACT and NT and have specialist expertise in the delivery of palliative care.

Calvary is concerned that the passage of this Bill could see the introduction of laws in the NT and the ACT which weaken the provision of adequate and appropriate end of life care health services.

Central to Calvary's mission over the past 130 years has been to care for the most vulnerable in our community and we believe that encouraging laws to terminate life will disproportionately affect vulnerable groups in our society who deserve our care, our compassion and our attention.

Calvary has three central concerns over euthanasia laws which include:

1. **Protections for the most vulnerable:** the inability to protect against the coercion—whether explicit or subtle, direct or societal—of vulnerable populations rendered further vulnerable by life-limiting disease(s).
2. **Clinical care around the administration of lethal doses of drugs:** the failure to disclose the drug regimen (lethal dose) planned to be administered as overseas jurisdictions have reported significant issues including seizure, regaining of consciousness and prolonged death of up to four days.
3. **Distraction from improving and expanding necessary palliative care services:** Loss of focus and effort to adequately resource, plan and care for people through palliation and end-of-life care services.

The World Medical Association (WMA) has publicly stated “Physician-assisted suicide, like euthanasia, is unethical and must be condemned by the medical profession.” It has called on jurisdictions throughout the world to reject physician-assisted suicide bills, warning that “vulnerable people will be placed at risk of abuse.”

Former Australian Medical Association (AMA) President Dr Michael Gannon wrote last year: “It has long been recognised that doctors who are closest to providing end-of-life care are those most likely to be opposed to physician-assisted suicide [...] the proposal for Voluntary Assisted Dying (VAD) in

Victoria, or any other form of euthanasia/physician-assisted suicide in New South Wales, Western Australia, or elsewhere, would be a negative move for our society. **It would be a victory for fear over hope, and would in no way enhance the provision of quality end-of-life care.**"

While Calvary will not provide assisted suicide services, we acknowledge that views on physician-assisted suicide and euthanasia are complex and polarising. **Our position has been put most eloquently by Dr Suharsha Kanathigoda, Medical Director of Palliative Care ACT, Calvary Public Hospital.**

"There is always something that can be done. We never say nothing can be done. I never have had a patient that we could not do anything for. Never—in my last 20 years as a doctor and probably five to 10 years in palliative care—have I come across a situation where there was nothing I could do for a patient. . . .

Palliative care is actively managing these patients' symptoms at end of life as well as during their lifetime, during that life lived with the illness. **There is always something that can be done.**"

Whilst Calvary acknowledges that this Bill does not, in itself, provide for euthanasia there is no doubt that its passage risks sending a message to Australians that the Federal Parliament no longer has an interest in ensuring citizens are protected at their most vulnerable time.

Calvary believes rather than weakening current protections we should instead be talking about how we best support the dignity and personal needs of those reaching the end of their life in addition to their families and make sure that care is available and accessible to all.

Calvary acknowledges the very difficult task before the Senate to make good decisions on behalf of all Australians.

We respectfully invite you to consider the concerns raised before considering your vote on the Restoring Territory Rights (Assisted Suicide Legislation) Bill 2015. These deliberations are momentous, and it is important that all of us bring our best thinking to them.

Calvary will seek to assist the Senate in any way it can, and would welcome the opportunity to meet with you, or any of your colleagues, if required.

Yours sincerely,



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