

**Submission: Queensland Voluntary Assisted
Dying (VAD) Bill 2021**

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19 June 2021**

Since I made a submission to the “Inquiry into aged care, end-of-life and palliative care and voluntary assisted dying (2019, Queensland) [ACELPCVAD],” I will keep this submission to a few pages.

Euthanasia (or VAD) is "the intentional killing of a person, for compassionate motives, whether the killing is by a direct action, such as a lethal injection, or by

failing to perform an action necessary to maintain life. For euthanasia to occur there must be an intention to kill."¹

When I use the terminology, "voluntary active euthanasia," I mean that the person asks to be killed. It must be realised however that those who promote euthanasia or VAD do not generally use the word "kill."

The Bill states:

“Proposed eligibility criteria”

The Bill proposes that, to be eligible for VAD, a person must:

- Have decision-making capacity in relation to voluntary assisted dying
- Be acting voluntarily and without coercion
- Be at least 18 years of age
- Fulfill Australian and Queensland residency requirements.

I address these points:

1. Give people who are suffering and dying, and who meet eligibility criteria, the option of requesting medical assistance to end their lives.

Please remove the euphemism: Label the true intent of this Bill. It is not Voluntary Assisted Dying but Voluntary Assisted Killing (VAK).

This introduces a radically new dimension into what should be compassionate, palliative care.

The Bill states:

2. “Every person has inherent dignity and should be treated equally and with compassion and respect” (p. 15).

I agree! But killing people at the end of their lives cannot be defended on the grounds of compassion and respect. No civilised Qld society should accept this view of VAK.

To recognise the right of a mentally competent adult who is suffering intolerably from a terminal illness to request a medical practitioner to provide medical services that allow the person to end his or her life peacefully, humanely and with dignity is an oxymoron when associated with VAK.

¹ From "Euthanasia: killing the dying. 'It's OK - isn't it?'" Foundation for Human Development, Site 4A, 32 York Street, Sydney 2000 (GPO Box 2642, Sydney, NSW, 2001).

3. To grant a medical practitioner who provides such services immunity from liability in civil, criminal and disciplinary proceedings is a shocking admission of how far Qld will go in its ethical demise.

The true intent of VAD is to give medical practitioners the ability to provide a mentally competent, terminally ill adults with the medical service to kill them. This is to provide the medical profession with the legal and medical ability to engage in assisted suicide. That is to facilitate assisted suicide – killing – without the fear of legal prosecution.

The Australian Medical Association (AMA) has weakened its ethical commitments by adhering to the World Medical Association's ethics:

The AMA has adopted the World Medical Association's (WMA) *Declaration of Geneva* as a contemporary companion to the 2,500-year-old Hippocratic Oath for doctors to declare their commitment to their profession, their patients, and humanity.²

4. You require some medical practitioners to violate their Oath.

In my view, this weakens the AMA's ethical position where the original Hippocratic Oath stated, **"I will not give a lethal drug to anyone if I am asked**, nor will I advise such a plan."³ The Classical Version of the Hippocratic Oath states, "I will neither give a deadly drug to anybody who asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortive remedy. In purity and holiness I will guard my life and my art."⁴

Therefore, VAD falls outside of the practices set down for the medical profession by its own profession. Why is the Qld. Government violating these fundamentals of the medical profession?

5. You cannot stop the slippery slope.

Your "eligibility criteria" includes:

- have been diagnosed with a disease, illness or medical condition that:
 - is advanced, progressive and will cause death, and
 - is expected to cause death within 12 months, and

² "AMA Adopts WMA Declaration of Geneva," 28 September 2006, <https://ama.com.au/media/ama-adopts-wma-declaration-geneva>.

³ Greek Medicine 2012, USA Medicine, "The Hippocratic Oath," MedicineNet, https://www.nlm.nih.gov/hmd/greek/greek_oath.html. The Australian Medical Association has adopted the World Medical Association's "*Declaration of Geneva* as a contemporary companion to the 2,500-year-old Hippocratic Oath for doctors to declare their commitment to their profession, their patients, and humanity," <https://ama.com.au/media/ama-adopts-wma-declaration-geneva> (emphasis added).

⁴ "Medical definition of Hippocratic Oath: Classical Version," MedicineNet, 1996-2021, https://www.medicinenet.com/hippocratic_oath/definition.htm.

- is causing suffering the person considers intolerable

That is not what is happening overseas.

In The Netherlands,

According to the report [in 1997 in the British Medical Journal, *The Lancet*], doctors were killing approximately 8 percent of all infants who died each year in the Netherlands. That amounts to approximately 80-90 per year. Of these, one-third would have lived more than a month. At least 10-15 of these killings involved infants who did not require life-sustaining treatment to stay alive. The study found that a shocking 45 percent of neo-natologists⁵ and 31 percent of pediatricians who responded to questionnaires had killed infants.⁶

The British Medical Journal reported an alarming situation in The Netherlands:

Doctors can help patients who ask for help to die even though they may not be ill but "suffering through living," concludes a three year inquiry commissioned by the Royal Dutch Medical Association. The report argues that no reason can be given to exclude situations of such suffering from a doctor's area of competence.⁷

Why am I giving this and the following examples? These show where the VAD can take us. When will MPs wake up to what they are doing to our society by introducing death with dignity when they mean killing?

Belgium

It is as bad in Belgium. In 2014, Belgium amended its euthanasia legislation "to terminate the life of a child, at any age who makes the request." Between 1 January 2016, and 31 December 2017, physicians gave lethal injections to three children, aged 17, 11 and 9.⁸

Switzerland

Probably the first country that comes to mind in relation to assisted dying, Switzerland allows physician-assisted suicide without a minimum age requirement, diagnosis or symptom stated.... [However] euthanasia is not legal in the country.⁹

⁵ "Neonatology is the branch of medicine concerned with the treatment and care of newborn babies" (Oxford English Dictionary: Neonatology).

⁶ *The Discovery Institute* 2004, "[Now They Want to Euthanize Children](#)," 12 September.

⁷ *The British Medical Journal: News Roundup*, 2005, 6 January, "Dutch euthanasia law should apply to patients "suffering through living," report says," <https://www.bmj.com/content/330/7482/61.1.full>.

⁸ Charles Lane 2018. Children are being euthanized in Belgium. *The Washington Post* (online), 6 August. Available at: https://www.washingtonpost.com/opinions/children-are-being-euthanized-in-belgium/2018/08/06/9473bac2-9988-11e8-b60b-1c897f17e185_story.html?noredirect=on&utm_term=.f9d8db8bd4cd (Accessed 23 March 2019).

⁹ Ashford, J. 2019. "Countries where euthanasia is legal," *The Week*, 29 August, <https://www.theweek.co.uk/102978/countries-where-euthanasia-is-legal>.

Is Qld. planning on becoming another Switzerland for “VAD tourism”?

Luxembourg

“Assisted suicide and euthanasia are both legal in Luxembourg for adults. Patients must have an incurable condition with constant, intolerable suffering and no prospect of improvement.”¹⁰

Canada

Could you imagine a variation of this headline appearing in the Brisbane *Courier-Mail*? “Medically assisted death allows couple married almost 73 years to die together in a local nursing home.” It’s the story of George and Shirley Brickenden, married almost 73 years and both in their 90s. They were not terminally ill but were euthanised together in their bed in a nursing home, with their children watching from the foot of their bed. They died at the same time, but had no terminal illness.¹¹

There is no limit to what countries will do after VAD is legalised for other reasons.

Oregon, USA

Wendy Melcher died in August 2005 after two Oregon nurses, [REDACTED], gave her overdoses of [REDACTED]. They claimed Melcher had requested an assisted suicide, but they administered the drugs without her doctor’s knowledge, in clear violation of Oregon’s law. No criminal charges have been filed against the two nurses. The case prompted one newspaper to write, “If nurses—or anyone else—are willing to go outside the law, then all the protections built into [Oregon’s] Death with Dignity Act are for naught” (emphasis in original).¹²

Conclusion

The case for VAD in Qld is based on the following:

- Intentionally killing or assisting in the killing of innocent human beings.
- Repudiation of the doctor-patient relationship that is meant to promote life.
- It flies in the face of the medical advances made in the treatment of pain and is at odds with compassionate methods of care.
- Pain can be eased and treated.
- It does not fully consider the historical examples that show euthanasia cannot be legislatively controlled (e.g. The Netherlands, Belgium, Canada, and Oregon USA).
- It rests on presuppositions that do not respect human life.

¹⁰ Ibid.

¹¹ Kelly Grant 2018. “Medically assisted death allows couple married almost 73 years to die together,” *Toronto Globe & Mail*, 1 April, <https://www.theglobeandmail.com/canada/article-medically-assisted-death-allows-couple-married-almost-73-years-to-die/>.

¹² DREDF (Disability Rights Education & Defense Fund) 1997-2021. “Some Oregon and Washington State Assisted Suicide Abuses and Complications,” https://dredf.org/public-policy/assisted-suicide/some-oregon-assisted-suicide-abuses-and-complications/#_ednref24.

- It plays God.
- Human beings are not animals to be euthanised, but unique beings made in the image of God.
- It is not in the patient's or society's best interests. It promotes a culture of death.
- It eliminates the sufferer rather than treating the suffering.
- Opinion polls are an unreliable indicator of support for euthanasia as popularity commits the “Appeal to Popularity” logical fallacy which states:

Using the popularity of a premise or proposition as evidence for its truthfulness. This is a fallacy which is very difficult to spot because our ‘common sense’ tells us that if something is popular, it must be good/true/valid, but this is not so, especially in a society where clever marketing, social and political weight, and money can buy popularity.¹³

Something can be popular but its merits need to be debated in the public arena to determine its truthfulness. The “Appeal to Popularity” engages in erroneous reasoning.

**Therefore, I urge the Parliament of
Queensland not to support the legalisation of
voluntary assisted killing (VAK).**

¹³ Bo Bennett 2020. Logically Fallacious, “Appeal to Popularity,”
<https://www.logicallyfallacious.com/logicalfallacies/Appeal-to-Popularity>.