

Civil Liberties Australia (CLA) welcomes the Senate Standing Community Affairs Committee's Inquiry into Suicide in Australia and is confident that the inquiry will identify effective solutions to addressing this fast growing social problem with the aim of reducing the incidence of suicide in Australia.

In doing so, CLA believes the inquiry should be undertaken within a framework of individual civil rights and liberties. The inquiry should ensure the discussion of suicide is not couched in emotive or moralistic, but rather, objective and rational terms.

As such, CLA believes the inquiry should focus its attention not only on the causes of preventable suicides, but also address the legal and social rights of individuals who choose, in a considered manner, the time and method of ending their lives, including the impact on those who assist in such endeavours.

Key to this debate is the recognition that as humans, one of our most important rights is our right to life. However, implicit in this right is our right to voluntarily choose, in a sound state of mind and with appropriate checks and balances, the time and manner of our own death.

We should have the right to make our own choices of when and how our life should end in advance, if we wish, of becoming so sick as to be dependent on others.

Some people will have different views on this matter; what is important is that individuals be allowed to express and carry out their wishes, as they pertain to their own decisions and circumstances, without others dictating their views to them and imposing person prejudices on to them.

The right to lead a productive and meaningful life is a key right for all people and CLA believes that all persons contemplating suicide must be afforded the support, counseling and assistance to ensure that they are fully aware of the nature of their decision and that they have a sound mind when making it. This requires a legal recognition that there are circumstances when a person may choose to end their lives with dignity, comfort and reassurance.

Some people do not wish to see their wonderful and productive lives end in months, if not years, of pain and distress, being put through enormous agony, often against their will, in the adherence to society's (or another person's) belief that life must be preserved at all costs, regardless of the rights and wishes of the individual who is dying.

The Committee may be aware of the recent suicide, in a Swiss clinic, of 85-year-old British composer Edward Downes, who was blind and increasingly deaf, and his wife Joan, 74, who had been diagnosed with terminal cancer. A death with dignity can only enhance and celebrate the value of a life lived...or of two lives lived together and ended together.

To ignore this right to choose the time and manner of our own death is an abuse of the very human rights that we all value and that are inherent in our right to life.

There needs to be legal clarity and certainty in this regard. This means removing suicide as a legal criminal act, particularly for those who conscientiously assist or are involved in helping others, including relatives, to end their lives. They should not face the possibility of prosecution for giving comfort and solace and respecting a dying person's wishes. It requires new legislation to ensure decent people are not held culpable for an act of charity, and love.

History has shown that public opinion is sometimes a lagging indicator, and issues that were once controversial (for example, gay rights, women's rights, Indigenous rights), often become commonplace societal views, which require leadership and open public discussion before they become accepted and lead to broad cultural change.

In this case, public opinion is about 75% in favour of a law throughout Australia which permits dying legally and in a dignified manner, at a time of personal choosing, by one's own choice of method, with assistance of loved ones if needed and requested. Support for this proposition is rising, and has been consistently rising in Australia for decades.

The Committee's inquiry therefore could play an important part in complying with the wishes of an overwhelming majority of Australians and in facilitating open discussion, even when the topic is difficult and sometimes divisive.

CLA supports:

- A person's right to choose to end their own life, without penalty;
- A person's right to help in achieving that choice legally from a relative, friend or licensed service provider under humane Australian laws and rules; and
- A person's right to access information on suicide and death (particularly people of advanced age) without censorship.

In conclusion, CLA wishes the members of the Committee well in carrying out its important task and hopes it will consider the rights of anyone who wishes to choose the time and manner of his/her death, and who seeks support in achieving that end which is consistent with everyone's right to dignity and respect.

No-one should be obliged to end their life...nor should they be obliged to not end their life, or hindered in doing so or receiving help to do so, if that is their considered decision.

In both life and death, individuals are entitled to freedom of choice.

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