

House of Representatives

Supplementary Order Paper

Tuesday, 24 September 2019

End of Life Choice Bill

Proposed amendment

Simon O'Connor, in Committee, to move the following amendment:

Clause 24

In *clause 24(1)*, replace *paragraphs (a) to (c)* (page 17, lines 8 to 10) with:

- (a) receive, or refuse to receive, nutrition;
- (b) receive, or refuse to receive, hydration;
- (c) receive, or refuse to receive, life-sustaining medical treatment.

Explanatory note

This Supplementary Order Paper (SOP) amends the End of Life Choice Bill. It affirms that a person's rights to receive nutrition, hydration, and life-sustaining medical treatment are unaffected by the proposed legislation.

It is a surprising omission from the Bill currently that no such affirmation is provided. Affirming some rights that are unaffected by the Bill but not others (that could reasonably be thought to be affected, at least potentially) has an unfortunate implication.

Aside from the rules of statutory interpretation, the context is particularly worrying in relation to the experience of overseas jurisdictions that have legalised euthanasia or assisted suicide. Persons with adverse medical prospects have been actively offered euthanasia or assisted suicide (as the case may be) as an alternative to treatment that would otherwise have included options to receive life-sustaining medical treatment.

This SOP is vital to ensuring that the proposed law does not represent a duty to die (at a particular time, in a particular way), as distinct to a right to die (at a particular time, in a particular way).
