



End-of-Life Choice

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Voluntary Euthanasia Society of New Zealand, Inc.

Issue 32

EOLC Bill Withdrawn from Ballot Box

Although New Zealanders no longer have a bill in the ballot box, End-of-Life Choice officers and members have vowed to continue the fight for legalized assisted dying. "This Bill has overwhelming support across all demographics in a recent Horizon survey," said President Don Grant.

Hon. Mary Street withdrew her End-of-Life Choice Bill from consideration in late September because of concerns about the level of debate that would occur during an election year. Her fear was that the Bill would not receive a first reading. "I do not want my bill to be subjected to anything other than proper, sober consideration and I am concerned that heightened sensitivities in election year don't make for the proper progression of my bill," she said.

Street has promised to continue her efforts to legalise assisted dying and asked EOLC members not give up: "I will continue to speak about it at every public meeting I am invited to and I WILL put it back in the ballot as soon as the 2014 election is over. In the meantime, you and I have work to do to make sure MPs and candidates are made aware of the groundswell of support for this issue at every campaign meeting they go to!"

Executive Officer Yvonne Shaw. "This action highlights the fact that many MPs are not in touch with an issue that is very much on the minds of their constituents." Now, more than ever we need to continue letting our representatives know our views on the issue and understand that they will gain votes, not lose them, advocating such compassionate legislation.

In This Issue

- EOLC Bill Withdrawn from Ballot Box
- Meet Don Grant, New EOLC President
- Redoubling Our Efforts
- Mystery Break Raffle Reminder
- Personal Advance Directives: A Frontline Tool for End-of-Life Planning
- Branch Events
- International News
- Contact Us

Meet Don Grant, New EOLC President

Don Grant became National President of End-of-Life Choice in July of this year when the previous president, Carole Sweney, resigned. Don is Managing Director of Tasman Bay Herbs, a successful culinary herb business he founded with his wife Yoka De Houwer in 1996. Together they built and expanded the business until Yoka's death from terminal cancer in March 2013. At that time Don decided to devote his energies toward passing the EOLC legislation.



Don's introduction to EOLC came in October of 2011, when he and Ann David, also of Nelson, held a public meeting regarding the importance of legalizing assisted dying. Don and Ann shared their personal stories and discussed the limitations of current legislation. He challenged MPs to "Do something about it." At the end of the meeting, the Hon. Maryan Street, Labour, asked if she could address the audience.

"Maryan told us how she had personally cared for her mum and sister who had both died from terminal illnesses," Don said, "While neither her mum nor sister had wanted to end their life prematurely, Maryan agreed that we needed to be able to have the choice and so stated that she would be happy to sponsor a private members bill to Parliament. It was a very moving speech from her; I was reduced to tears."

(Continued on page 3)

Show your support for End-of-life choice by writing to your MP and sharing your story.

Redoubling Our Efforts

Yvonne Shaw

Disappointment described the sentiment when the Hon. Maryan Street withdrew the EOLC Bill from the ballot in September. Many of you contacted me to give your opinions, which offered insight into the vast perspectives of our membership. My first thought was that members would be angry with Maryan and disenchanted with the Bill. I couldn't have been more wrong.

There was a slight backlash toward the Labour Party as constituents dismayed that "our" MP had apparently been put under the gun by her fellows to toe a discriminatory line. More robustly was a membership dedicated to the cause, and disappointed not in Maryan as much as the reluctance of MPs in general to address this issue. Far from being disenchanted, our members are fired up to continue the fight!

This turn of events is a step back but not a step backwards. The larger perspective establishes that this is a political battle being fought in the arena of public perception. Withholding conversations around sensible legislation until people can be sensible in how they consider that legislation is smart politics. Maryan is a smart politician. And she has stated publicly that she will front the Bill again either as an item on the

(Continued on page 3)

Personal Advance Directives: A Frontline Tool for End-of-Life Planning

Yvonne Shaw

Personal Advanced Directives (PADs)—the documents that outline for care providers and family members the criteria and steps an individual would want taken should they be unable to communicate in a medical emergency—are gaining in popularity among an aging population.

Any conversation about autonomy and rights of self-expression in end-of-life care must include reference to PADs. **This important legal document outlines the care wishes of those who cannot communicate their wishes to medical staff and family members.** These documents are gaining popularity not only as a document for an episodic lack of ability to communicate, such as a heart attack or stroke, but also for evolving declines in health, such as dementia and cancer.

PADs are already legal and binding in New Zealand. The Code of Health and Disability Services Consumers' Rights 7(5) of the Code of Health and Disability Services Consumers' Rights ("the Code of Rights") provides that "Every consumer may use an advance directive in accordance with the common law".*

"Advance directive" is defined as a written or oral directive, by which a consumer (being the individual him or herself only) makes a choice (meaning a decision to receive, refuse, or withdraw consent to services), about a possible future healthcare procedure that is intended to be effective only when he or she is not competent.

But are they legally binding in a medical setting? The answer is maybe. While the document can be defended in court, those who would have a case are often in a physical or mental condition that precludes court action.* In those instances, a healthcare advocate can lobby on a patient's behalf, and perhaps get better results in a hospital or care facility than a stand-alone document. In other words, **defining a strong healthcare advocate in addition to drafting a PAD is the key to success in obtaining your care preferences** if you can't communicate.

There remains the lack of both a standard PAD form in New Zealand and the infrastructure necessary to make the information accessible to healthcare providers and first-responders. EOLC aims to change that by calling attention to PADs, supporting PADs as legal documents, and encouraging the medical community to create the infrastructure necessary to support quick and easy access to these documents.

*Lexis/Nexis/NZ Lawyer

Mystery Break Raffle Reminder

As mentioned in the last newsletter, in early October we are mailing out 1000 **Air New Zealand Mystery Break** raffle books to most members as a



fundraising campaign. Unless you have opted out, expect to receive a book with five tickets, each selling for \$5. (Some members may not receive any as we had a limited number of books.) Please return your books and payment promptly, as outlined in the letter that accompanies the books. If you have any questions about the raffle, please contact the End-of-Life Choice office on 04 938 0317. Good luck with the draw!

Planned Giving and Bequests

To make a gift of any kind to End-of-Life Choice is an act of generosity. To make a long-term gift—one derived from the work of a lifetime—is a powerful and impactful choice. Please help us ensure safe end-of-life choice for future generations in New Zealand by making a planned gift or bequest today. Please contact us if you would like more information on how to do so.

We Want Your Story!

Many, if not most, end-of-life choice supporters have been personally influenced by the experience of someone close to them who lacked the option of choosing a dignified death. If you have a personal story you would like to share with our members and supporters in this newsletter and on our website, please contact the newsletter editor for guidelines: editor@ves.org.nz.

Branch Events

Auckland

Nov. 10 Rationalist House, 4pm., 63 Symonds St., Auckland. Executive Officer Yvonne Shaw.

Nov. 12 Probus, 10 am., St John the Evangelist Catholic Church Hall, 180 Centreway Rd., Orewa. Yvonne Shaw.

Kapiti-Horowhenua

Oct. 15 Combined Probus Meeting, 10:30am. Senior Citizens Hall, Bluegum Rd., Paraparaumu. Come hear EOLC speakers.

Bay of Plenty

Oct. 6 House Meeting, 2pm. 7 First Ave., Tauranga.

Oct. 15 Branch Committee Meeting, 7pm. 7 First Ave., Tauranga.

Waikato

Branch meetings TBD. See website for updates.

Wellington

Oct. 19 Branch Meeting, 2pm. Petone Library Meeting Room, Britannia St., Petone. President Don Grant will be speaking.

Nov. 16. Napier Meeting, 1:30pm 16 Old Custom House, Ahuriri. Don Grant, Yvonne Shaw, Helen Yensen will be speaking.

Oct. 29 WEA Christchurch, 1:30pm. 59 Gloucester St., Chch. Yvonne Shaw will be speaking.

Nov. 8 House Meeting 2pm. 4/55 Thackeray Place, Waltham, Christchurch.

Nov. 8 U3A Meeting, 10:30am. Arts Centre, St Mark's Church, Withells Rd. Avonhead, Christchurch. Yvonne Shaw will be speaking.

(Don Grant, Continued from page 1)

Don has ambitious goals for the organization over the coming year. Aligning with present efforts to advance legislation for end-of-life choice, Don advocates for the expanded use of Personal Advance Directives (PADs) in end-of-life planning. With the Bill out of the ballot box, now is a perfect time to consider how other options impact New Zealanders. He also will push for broader media coverage of the issues, and for member participation in town-hall style meetings attended by MPs.

“My goal is to get members to every public political meeting that MPs hold during the election so they can ask MPs what they are going to do about it.”

That will require increasing the membership, and Don's goal is to bring on board the Baby Boomer population; a demographic that polls say are most invested in end-of-life rights. Finally, Don would like to see the argument expanded to broader audiences, with less focus on extremist opinions.

“I want to focus on why we should have a choice and get that message across rather than getting bogged down in fighting extremist views of some anti-choice groups,” he said. Members will be called upon to contact MPs, to write letters to the editor, and to talk to their social networks of family and friends about the importance of end-of-life rights. He also supports new polling of New Zealanders on the topic.

Don remains steadfast even after news of the withdrawal of the EOLC Bill from the ballot box in September. He sees this as a time to put efforts into building membership and creating funding streams. He also has complete confidence in The Hon. Maryan Street's dedication to the Bill.

We are here to support (The Hon.) Maryan Street in getting the Bill passed in Parliament,” he said, “I know that Maryan is a skilled politician, but most importantly, she has integrity.”

(Redoubling Our Efforts, Continued from page 2)

national agenda, should the winds catch the sails of the Labour party, or as a Private Member's Bill should the winds favour National in the elections. Don't look for it right away; it won't be re-introduced until the session is in for 100 days or so. But rest assured it will be re-introduced.

When that time comes, it will behoove us as advocates for our own end-of-life choices to have done our part to lay out expectations of- rather than requests for- MPs to talk candidly and frequently about the implications of passing (or failing) this Bill. That is our most certain way forward from First Reading to Select Committee. From there, the conversations will revolve around the personal stories of those most profoundly impacted by our lack of legislation. If you are in that category, now is a good time to take the cathartic step of putting pen to paper, letting it all out and then mailing it to your MP. It is a cause in which our own emotional vulnerabilities will be our strengths, to shore up those among us left at the mercy of their physical vulnerabilities of terminal illness.

Your voice can ring in politicians' ears as they evaluate their consciences. Your story can be one that makes MPs uncomfortable enough to consider the unbearable. Your tenacity can hold together the sensible arguments that opponents try to rip apart. So sidle up to your nearest MP and when you have their ear, tell your story. Explain to them why this legislation could benefit not only their popularity among their most vocal constituents, but even their own lives, should the unthinkable happen and they need the EOLC option themselves.

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International News

Britain

Groundbreaking theoretical physicist Stephen Hawking clearly articulated his support for laws allowing for safeguarded physician-assisted dying: "I think those who have a terminal illness and are in great pain should have the right to choose to end their lives, and those who help them should be free from prosecution," he said.

Australia

Tasmanian MPs will have a conscience vote on the Voluntary Assisted Dying Bill 2013. The private members' bill, co-sponsored by the Greens Nick McKim and Labour's Lara Giddings, will be debated in October.

Under the proposed legislation, a person requesting euthanasia must be an adult, a Tasmanian resident, competent to make the request, and make it voluntarily. The Bill will also include penalties for anyone attempting to coerce patients. New Prime Minister Tony Abbott has ruled out challenging the legislation should it become law, saying that it is a state issue.

Support for assisted dying is increasing in Australia. More than three-quarters of Australians support the legalisation of voluntary euthanasia for the terminally ill, according to the ABC's Vote Compass, one of the largest surveys of the public's political views ever conducted. Overall 75% said they "somewhat agreed" or "strongly agreed" that terminally ill patients should be able to legally end their own lives with medical assistance.

The Netherlands

The number of people opting to die by euthanasia rose by 13% last year to 4,188, according to the five regional committees charged with ensuring the legal conditions for assisted suicide are met. Euthanasia requests have risen steadily since 2006 when 1,923 people applied for assisted suicide. Researchers say they suspect it is due to greater acceptance of euthanasia by both patients and doctors in the country.