



31st August 2009.

Addendum to verbal evidence presented on 24 August 2009 to the Parliamentary Enquiry into the *Dying with Dignity Bill 2009*.

AMA Tasmania requests the Parliamentary Committee to consider this further evidence.

Prior to attending the Committee hearing, AMA Tasmania made available a comprehensive submission. Committee members would have had access to the submission for a least one week prior to the hearing and therefore had sufficient time to consider its contents.

During the course of giving evidence, AMA Tasmania representatives (Prof Lowenthal, Dr. Middleton) were asked to comment on a paper from the medical Journal of Australia. (*The intention to hasten death: a survey of attitudes and practices of surgeons in Australia. Douglas et al MJA 2001; 175: 511-515*).

Dr. Middleton had not seen this paper prior to the hearing. Prof Lowenthal could vaguely recall the paper but had not considered it at all recently.

In retrospect, the correct action would have been to decline to comment on the paper at the time, having not had sufficient opportunity to properly review it. AMA Tasmania considers that there is an issue of procedural fairness here. This paper should have been made available prior to the meeting (as was the AMA submission) if it were to be used as a discussion point.

Subsequent to the committee hearing, there were reports in the media quoting Mr. McKim as saying that the proposed voluntary euthanasia legislation was justifiable "as it is already happening in palliative care units all over the country" or words to that effect, clearly a reference to this article.

That being the case, and now having had some time consider this article further, AMA Tasmania offers the following perspective.

- The proposed legislation relates to the Tasmanian situation only. What happens in other States is not for consideration here. In fact the Bill is very careful to ensure that only Tasmanians can access its provisions and presumably this is to ensure that suicide tourism is not a feature of this legislation.
- Mr. McKim has no evidence to support his contention that euthanasia is practiced to any degree on a de facto basis in Tasmania.
- In the journal article, nearly 1000 general surgeons were asked to participate in a questionnaire in 1999 (i.e. 10 years ago) and nearly 700 responded. About a third of these said they had at some time in the past given a patient more medication than was necessary to relieve suffering and with the intention of hastening death. 5% of the respondents admitted giving a lethal injection.
- Whatever one can say about such a retrospective and anecdotal analysis, the important questions were simply not asked of those who gave an affirmative response, ie:
 - how often and at what stage of your career did you do this?
 - what were the circumstances?
 - were you exposed to any palliative care teaching during your surgical training?
 - was a palliative care specialist consulted about the cases you were involved in?
 - and, for the purposes of this enquiry: Would you support a change in legislation to permit voluntary euthanasia?
- To draw conclusions from this study of a group of Australian general surgeons 10 years ago and apply these to all Tasmanian doctors in 2009 is simply not valid. Additionally, AMA Tasmania contends that general surgeons are much less involved with the terminal care of patients nowadays and doctors in general are better educated about palliative care.
- Even if this practice was occurring to any extent, the correct approach would be an educational one, not the legalisation of killing patients. Just because something is happening, we do not legalise it. We are sure that Mr. McKim is not in favour of decriminalizing driving under the influence or tax evasion for instance although, sadly, both of these unsavoury activities are a feature of our society.

In conclusion, AMA Tasmania rejects Mr. McKim's assertion that euthanasia is a commonplace occurrence in Tasmania and reiterates its previously stated position that the proposed legislation is unnecessary and unsafe. AMA Tasmania contends that doctors should care for patients, not kill them.

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