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Submission

Inquiry into older people and the law

Submission No. 48
Date Received

Criminal Code Amendment (Suicide Related Material) Act 2005

1. A subject of great concern to many older people is not their death but their manner of death
2. Whilst the law does not hold suicide to be a crime, any person assisting or counselling another person to do so, under current law can be charged with murder or manslaughter.
3. Consequently, many people commit suicide in tragic and lonely circumstances, hanging being the favoured method. Statistics suggest that for every completed suicide, there are at least ten unsuccessful attempts.
4. The above law, by prohibiting the use of an electronic "carriageway" to obtain information relating to means of committing suicide, denies elderly people who consider their quality of life unbearable, the means to obtain information about an act which itself, is lawful. This is not logical. This denial contributes to the high incidence of failed attempts and the horrendous consequences thereof.
5. The Act discriminates against the elderly, who consider that the right to end their life is entirely their own decision and that the law should not hinder their ability to investigate the means to do so.
6. The penalties for breach of the Act are draconian and out of all proportion to the "crime" (\$110 000 for an individual, \$550 000 for a corporation)
7. The Act does virtually nothing do prevent the thousands of offshore based websites dealing with the subject, but makes it a crime for someone to provide information on the telephone to a suffering person on their death trajectory who only seeks an end to their unbearable suffering.
8. Members of the committee may find the programme " Do Not Resuscitate", aired on SBS on the 23rd and 30th November 2006 informative as to the attitude of many dying people.

9. It is submitted that the Act should be repealed.

Bryan J Milner,

(The writer is the convenor of the Northern Rivers branch of the Voluntary Euthanasia Society of NSW. This submission has not been reviewed by the Society and is not submitted on behalf of the Society)