



## AUSTRALIAN MEDICAL ASSOCIATION (SA) INC

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## THE LAW SOCIETY OF SOUTH AUSTRALIA

### Doctors and Lawyers Oppose Keys 'End of Life' Bill

Dr Peter Sharley, President of the AMA(SA) and Mr Ralph Bonig, President of the Law Society of South Australia have jointly stated opposition to the proposed amendments to the Criminal Consolidation Act which will make it easier for doctors to provide treatment which shortens a persons' life.

The AMA(SA) supports appropriate palliative care treatment to prevent the pain and suffering of patients - even if this treatment may hasten death in an unintended way. 'The Consent to Medical Treatment and Palliative Care Act currently protects doctors doing this' states Dr Sharley. This bill is really about doctors ending the lives of patients, in other words providing euthanasia. Not only that, it has a serious lack of protection for patients. There is no proper process, witness, second opinion or required documentation. A doctor could carry out '*treatment*' which effectively kills the patient with only the word of the doctor as evidence.

It is disturbing that the Bill is being presented as a defence for doctors when we do not see the need for this approach. Doctors are also concerned the Bill if passed will undermine the focus on effective high quality palliative care whilst placing doctors at risk of criminal charges.

'This legislation has been progressed by stealth and with no proper informed community debate' states the AMA(SA). And, because of its vague and subjective language is open to abuse. Dr Sharley stated 'it tells you something is wrong when a doctors' organisation is saying that the doctor is being given too much power, and that the patient does not have enough protection'.

These concerns are backed by the Law Society of South Australia who, without wishing to comment on whether voluntary euthanasia should be legalised, expressed its concern in relation to the Bill.

'The effect of the Bill is to decriminalise murder, manslaughter, assisted suicide and voluntary euthanasia in certain circumstances' states Mr Bonig. The Bill is deficient in that it does not have the ordinary safeguards that typical voluntary euthanasia legislation should have.

Both the AMA(SA) and the Law Society are concerned that the Bill affords no protection to a practitioner nor to the patient or their family and loved ones. Mr Bonig has previously stated that concepts such as '*reasonable grounds*' and '*intolerability*' contained in the Bill are extremely vague and open to subjective interpretation.

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**12 September 2011**

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For those of us who have seen a family member suffer in the last years of their life, this is an emotive issue however this Bill is deficient and does not provide an appropriate framework for the protection of all involved.

For the reasons above, the AMA(SA) and the Law Society of South Australia do not support this bill.

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