



Lawyers' group says flawed bill will kill vulnerable New Zealanders

Auckland – 9 April 2019. Lawyers who specialise in the protection of vulnerable New Zealanders say the End of Life Choice Bill is a danger to the elderly, the ill, the frail, the neglected, the poor and the lonely. Lawyer Richard McLeod and disability rights advocate and former legal academic Dr Huhana Hickey say that the Bill, which is the subject of a Justice Select Committee Report tabled in Parliament today, will disproportionately affect the nation's voiceless.

The pair are part of a group, [Lawyers for Vulnerable New Zealanders](#), which has today launched a website identifying more than 35 critical flaws in the Bill, which McLeod says was designed to address a particular circumstance with no appreciation or understanding of its potential effects on large numbers of marginalised New Zealanders.

“This Bill creates a mechanism for the insidious coercion of people who ‘just don’t want to be a bother’ into requesting assistance with suicide,” says McLeod. “It was intended to cater for the confident, the capable, the committed, and the well-resourced. Instead it puts large numbers of vulnerable New Zealanders at greater risk of being killed or helped to end their lives by doctors as a result of neglect, coercion and other forms of abuse,” he says. “It opens the door to new and insidious forms of coerced suicide.”

The lawyers say that the Select Committee’s Report on the Bill raises serious red flags over its safety. “After 16 months of investigation involving more than 38,000 submitters, the Select Committee has now reported that the Bill is unworkable in its present state and they are unable to agree that it be passed. This should be ringing serious alarm bells, and it points to the fact that this Bill is irremediably flawed,” says Hickey.

Those seeking assistance to end their lives are often underprivileged and are made to feel they are a burden on others. The Oregon Public Health Division's 2018 Report noted that of those who accessed assisted suicide in Oregon the previous year, nearly 67% were people on low incomes and reliant on state health care insurance, while 63.6% cited being a “burden on family, friends or caregivers” as one of the main reasons for ending their lives.

“Caring societies don’t support legislation that will help poor or neglected people to end their lives because they don’t want to be a bother on the rest of us” says McLeod.

Many groups opposed

The Bill is opposed by a number of organisations assisting the vulnerable, including the New Zealand Disability Rights Commissioner, the New Zealand Medical Association, the Australian and New Zealand Society of Palliative Medicine, the Australia New Zealand Society for Geriatric Medicine, Palliative Care Nurses New Zealand, Hospice New Zealand, and the Salvation Army.

Threat to Māori

The lawyers say that the proposed bill poses a particular threat to Māori, who are disproportionately represented in New Zealand's suicide, terminal illness and chronic sickness rates, and in the areas of mental health and disability.

“Government has social policy responsibilities toward Māori under Article 3 of the Treaty of Waitangi,” says Hickey. “This Bill threatens vulnerable Māori who are old, sick or disabled and who are already being failed by our health system according to a large claim currently before the Waitangi Tribunal”.

“We need clear minds to come together to ensure that our most vulnerable – who are many – are given the same level of support and dignity as those privileged few who have greater resources, access and social capital,” says Hickey. “This Bill is not the solution.”

“We acknowledge that this is a difficult issue,” says McLeod. “We acknowledge that the Bill was drafted with good intentions. That does not excuse its numerous deficiencies. Compassion without consideration of the consequences will lead to cruelty. The End of Life Choice bill, which is literally a matter of life and death for the at-risk members of our society, is poorly drafted and fatally flawed. It’s time to put the Bill out of its misery.”

ENDS

About Lawyers for Vulnerable New Zealanders

LVNZ is comprised of lawyers and legal academics from across New Zealand holding a diversity of ideological and political views, who are concerned over the care of New Zealand’s vulnerable and the compassionate treatment of its sick and terminally ill, and who are unanimous in their rejection of the End of Life Choice Bill.

Visit the LVNZ website at www.lvnz.org

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