



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON VOLUNTARY ASSISTED DYING BILL

Ms Suzanne Orr MLA (Chair), Ms Leanne Castley (Deputy Chair),

Mr Andrew Braddock MLA, Mr Ed Cocks MLA, Dr Marisa Paterson MLA

Submission Cover Sheet

Inquiry into the Voluntary Assisted Dying Bill 2023

Submission Number: 070.1

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25 January 2024

Ms Suzanne Orr MLA (Chair)
Select Committee on the Voluntary Assisted Dying Bill 2023

Dear Ms Orr

RE: Submission 70

Thank you for your letter of 21 December 2023, inviting Calvary to make a response to evidence outlined in Submission 70 about Calvary's involvement in the matters set out in the extract from the submission enclosed with your letter.

Calvary extends our deepest sympathies to the family and loved ones of the deceased.

As the matter is presently under consideration by the coroner, we are limited in our ability to respond to the specific details of the individual case, in particular concerning palliative sedation, and we ask that specific consideration be given to not prejudicing the outcome of the coronial investigation. If the Committee intends to publish Submission 70 and Calvary's response to the matters raised in the extract from the submission, given the ongoing coronial investigation we respectfully suggest that the Committee may need to raise this directly with the Coroner to ascertain if the Coroner has any concerns.

Nevertheless, we appreciate the opportunity to respond to concerns raised in the submission to the extent to which we are able.

In regard to the comments about care provided to Ms Williams at Clare Holland House during March 2023, we note it was her expectation that she would be cared for by a smaller number of carers. Attempts were made to meet this preference, within resourcing and staffing constraints. Therefore, while the core treating team was smaller, the overall number of direct care nursing staff was larger. This can be difficult to avoid in a facility such as Clare Holland House with the provision of 24 hour care. Calvary does, however, appreciate the benefit of this for all patients, including Ms Williams.

In regard to the concern that on occasion male nurses would assist Ms Williams with toileting and showering, Calvary confirms that it is an option for a patient to raise their preference for such assistance to be provided by female staff and, as best we can, Calvary would attempt to accommodate this preference. Specifically as it relates to Clare Holland House, this preference could have been accommodated given the

staff gender mix. Calvary is, however, unable to determine if this preference was raised or why it was not enacted. Calvary is sorry if Ms Williams was not made aware that she could have voiced her preference.

Calvary is aware of the two incidents identified in the extract of the submission and acknowledges they would have been distressing. In regard to the first incident, this was addressed at the time with an apology made to Ms Williams; and steps taken to ensure that it did not occur again which, from our enquiries, it did not. The second incident saw the adoption of use of a stand up lifter to assist Ms Williams given her declining physical functioning. Calvary recognises the two incidents were upsetting and apologises.

In regard to the matters concerning palliative sedation, Calvary is unable to comment on the specific details as this specific issue is the subject of a coronial investigation currently underway. What we are able to say is that our standard operating procedures on the administration of palliative sedation adhere to the *Consensus statement on the use of palliative sedation in the ACT* (dated 10 September 2021) and Calvary's internal policies. The Consensus Statement, developed by the ACT Palliative Care Governance Committee, was endorsed by ACT Health and remains in place, being publicly available on the ACT Health Directorate website. The Consensus Statement applies across the ACT and equally to the use of palliative sedation at Clare Holland House and in the community, providing for the monitored use of sedative medication to relieve symptoms in terminally ill patients.

In April 2023, palliative sedation at Clare Holland House was exclusively applied to patients in the Inpatient Unit and assessed by the multi-disciplinary team and senior palliative care specialist; it was a course of treatment available to patients within the last weeks of life. The primary objective of palliative sedation in accordance with the Consensus Statement is to alleviate suffering, not hasten death. Where requests are made that fall outside of Calvary internal policies, as a matter of course, they would be referred to the relevant team in the Calvary National Office.

Calvary remains deeply committed to delivering the highest standard of care to patients who use our facilities. Our health care professionals are dedicated and take their roles very seriously. They are also required to work within the current law, policies and procedures in the provision of patient care.

Yours sincerely

Mark Green
National Director Mission and People