



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON VOLUNTARY ASSISTED DYING BILL

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Submission Cover Sheet

Inquiry into the Voluntary Assisted Dying Bill 2023

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ACT Select Committee for VAD 2023

Dear Select Committee

Thankyou for your consideration of this brief personal submission in strong support of the commendable absence of defined period of predicted time until death in the ACT Bill for Voluntary Assisted Dying 2023.

I am a retired Ophthalmologist with subspeciality in adult and paediatric ocular malignancy. The following opinion is based upon both my clinical experience when caring for advanced and terminally ill oncology patients plus VAD literature review undertaken over the past seven years whilst acting as Queensland State Convenor for the national association Doctors for Assisted Dying Choice.

I wish to strongly refute the unsubstantiated and intentionally misleading claims by some VAD opponents that absence of a specified time period until death leads to unfettered suicide.

Findings from multiple Australian State parliamentary end of life inquiries and mandated VAD Review Board reports clearly support the following logic for absence of a predicted time.

* terminally ill patients are NOT suicidal but desperately desire to live as long as possible, ie. until their suffering is unendurable

*the knowledge of having control over quality and circumstances of death following granting of VAD eligibility has, in itself, major palliative effect and does NOT lead to premature use of VAD substance

*the palliative effect following granting of VAD eligibility is so significant that 1 in 3 terminally ill patients do not end up utilizing their VAD substance

*published medical findings confirm that prediction of time until death is an inaccurate process with case history studies demonstrating medical practitioners to have a marked propensity for overestimation of predicted time until death

*progression of disease process more rapidly than predicted is reflected in VAD Review Board reporting of unfortunate terminally ill patients who either died or lost mental

capacity before being able to complete the full eligibility process that followed their request for VAD

In short, early granting of VAD eligibility without reference to a specific predicted time until death poses no threat to terminally ill patients, provides significant palliative effect and removes the risk of inaccurate prediction of time until death resulting in unfair denial of VAD requests by otherwise eligible terminally ill patients.

Dr Sid Finnigan
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