



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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From: [Frances Coombe](#)
To: [LA Committee - VAD](#)
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To the Select Committee

The Voluntary Assisted Dying Bill 2023 is a significant improvement on State voluntary assisted dying (VAD) laws.

It is both more manageable and compassionate that the Bill requires no timeframe for accessing VAD, as in the State laws.

There is however the requirement that ‘the individual is in the last stages of their life.’

It is cruel to force a person with a progressive condition expected to cause the person’s death to suffer until the last stage of their life. People can have unrelievable suffering for many years before this last stage. Compassion demands that a person could choose to have VAD at a time when their suffering becomes intolerable.

Under the 2016 Canadian Medical Assistance in Dying law the term “death is reasonably foreseeable” is the criteria for an assisted death. I hope that the Committee will consider this instead.

The following aspects of the Bill are excellent:

- nurse practitioners and registered nurses to be administering practitioners.
- no requirement for the medical practitioner to hold specialist expertise or experience in the disease, illness or condition the person seeking VAD is dying from.
- health practitioners being able to initiate discussion about VAD.
- all care facilities to not hinder access to VAD and comply with the minimum standards.
- all care facilities to publish their policy on VAD
- a health practitioner or health service provider with a conscientious objection to VAD must give the individual, in writing, the contact details for the approved care navigator service within 2 working days after the refusal to be involved.
- The individual may decide to self-administer an approved substance or for the substance to be practitioner-administered

I note that there is no provision for VAD through an advance care directive. I hope that the Committee will consider a waiver of consent. In March 2021, after a long public inquiry, amendments were made to the 2016 Canadian Medical Assistance in Dying Act (MAiD) and the ‘waiver of final consent’ was introduced. The ‘waiver’ means that once a person is assessed as eligible for MAiD, and while they still have decision making capacity, an agreement can be made with the person’s

doctor for the MAiD procedure on a particular date. There is no obligation to proceed with MAiD on that date: when that date arrives, the person can change their mind and set another date or cancel the request.

The 'waiver' is comparable to an Advance Care Directive, but made after the person has been assessed as eligible for MAiD.

Thank you for this opportunity

Sincerely
Frances Coombe

