



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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AFPA

Australian Federal
Police Association

Inquiry into Voluntary Assisted Dying Bill 2023

Voluntary Assisted Dying Committee

Submission by the Australian Federal Police Association

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Acknowledgments

The AFPA welcomes and thanks the Voluntary Assisted Dying Committee (the Committee) for the opportunity to provide information on the *Inquiry into the Voluntary Assisted Dying Bill 2023*.

The AFPA approves making this submission publicly available at the Committee's discretion.

The AFPA also acknowledges the work and commitment of ACT Minister for Human Rights Tara Cheyne MLA in the campaign for territory rights and, ultimately, voluntary assisted dying (VAD) legislation.

Overview of the AFPA

The AFPA is a registered organisation and an autonomous sub-branch of the Police Federation of Australia. The AFPA represents the industrial, political, and professional interests of members of the Australian Federal Police (**AFP**) and ACT Policing (**ACTP**), law enforcement officials in the Australian Criminal Intelligence Commission, and members of the Department of Parliamentary Services.

Our members provide an essential service to Australia and the Australian Capital Territory (**ACT**). They are the backbone of the ACT and the Commonwealth's principal law enforcement agency, performing crucial investigative, intelligence and national security functions.

The AFP is responsible for the following:

-  providing community policing services to the Australian Capital Territory and other territories, including Christmas Island, Cocos (Keeling) Islands, Norfolk Island and Jervis Bay,
-  enforcing Commonwealth laws that combat complex, transnational, serious and organised crime, child exploitation, fraud, corruption, and cybercrime,
-  protecting Australians and Australian interests from terrorism and violent extremism,
-  removing illegally obtained assets and property from criminals,
-  protecting Commonwealth infrastructures such as designated airports, Parliament House, and embassies,
-  protecting domestic and foreign dignitaries, including the Governor-General, Prime Minister, and ambassadors,
-  protecting at-risk individuals,
-  representing Australian policing and law enforcement at an international level and
-  developing unique capabilities and employing advanced technology to support Australia's national interests.

On top of providing industrial relations support, the AFPA provides welfare support for its members. Support takes on many aspects, including mental health and living support for our members injured mentally and physically in the workplace while executing their lawful duties in protecting Australia and its many communities.

Introduction

The AFPA wishes to alert anyone reading this submission that suicide is discussed and would encourage anyone to seek help if this submission raises suicidal feelings. Lifeline (13 11 14) and Beyond Blue (1300 224 636) support is available.

One of the many roles undertaken by police is the attendance at suicide scenes and the coronial process that follows such an incident.

The basis of this submission will focus on the physical and mental toll that police officers experience when currently investigating a suicide and how the introduction of VAD legislation may have welfare and psychological benefits for the members of ACT Policing.

Role of Police in Suicide

Attendance at a suicide scene is often traumatic and takes a physical and mental toll on police officers and staff, such as forensic officers and other first responders. Attending police often support family members, friends, colleagues of the deceased, or members of the public who located the deceased or witnessed the act while also trying to manage the scene for an investigation.

When a suicide occurs, it is the role of the police, on behalf of the ACT Coroner, to investigate the circumstances behind the person committing suicide. This process can be traumatic for the investigating officer and participants in the investigation as the investigation will look into the history of the deceased, which may cause mental trauma or distress for all involved.

Often, accompanying a suicide is a correspondence or details as to why that person committed suicide. It's not unusual for investigating officers to locate correspondence written by the deceased outlining health issues, such as a terminal illness, with the deceased person explaining they have committed suicide due to their life-ending health diagnosis and fear of ongoing suffering, loss of dignity and choosing to end their life on their terms.

The AFPA accepts the tragic reality that people will commit suicide and will continue to do so regardless of VAD legislation. VAD is about giving someone with a terminal, life-ending medical condition an option to manage their end-of-life process, which should be a fundamental human right.

The AFPA feels that the introduction of VAD will give some people the opportunity to die with dignity in an environment and setting of their choosing. All too often, police attend suicide scenes, sometimes in public, where they have to physically handle or touch the deceased to confirm the death or offer medical treatment, which can negatively impact the police officers' mental and physical well-being. It's also traumatic for family or members of the community who are first on the scene and have to witness the person in their final resting position.

Over the past ten years, the number of deaths by suicide in the ACT has ranged between 41 and 24, with an average of 34 deaths by suicide per year. With each of these suicides, police would have attended and commenced an investigation and prepared a coronial brief for the ACT Coroner. It's not unreasonable to assume that a percentage of these deaths could be attributed to people who would be eligible for VAD under the proposed legislation. Sadly, due to current legislation and reporting guidelines, these deaths will be recorded as suicide, when in fact, if legislation was available, they may have been attributed to VAD.

The Role of Voluntary Assisted Dying

The AFPA believes that if introducing VAD in a controlled manner, with the appropriate legislated safeguards in place, stops one person from committing suicide and becoming a police investigation and a full coronial process, then the legislation is valuable.

Voluntary Assisted Dying Bill 2023

The AFPA has reviewed the *Voluntary Assisted Dying Bill 2023* and **supports** the bill. If emotion, personal views, and beliefs are removed, the Bill is solid and considered legislation, with appropriate safeguards to ensure that the legislation isn't abused or misused.

The AFPA also notes that the *Voluntary Assisted Dying Bill 2023* will not introduce a predicted time of death for applicants. This is inconsistent with other states and territories and may need addressing in the future once more data becomes available.

The AFPA would recommend that *Section 159 – Review of Act, Part 1* be amended to introduce the requirement that the Minister produce a report each year for the first three years and then every two years after the first three years. After ten years, the review can occur every five years as data would have been regularly obtained during the first ten years, which can be used to determine future amendments.

Current legislation (AFPA recommendation in red):

159 Review of Act

(1) The Minister must review the operation and effectiveness of this Act as soon as practicable

~~(a) 3 years after the day this section commences, and~~

(a) every year for the first three years after the day this section commences, a review of this Act is presented to the Legislative Assembly

(b) every two years after the first three years after the day this section commences, a review of this Act is presented to the Legislative Assembly

~~(b) every 5 years after the first review of this act is presented to the 18 Legislative Assembly~~

(c) every five years after ten years of this section commencing, a review of this Act is presented to the Legislative Assembly.

Conclusion

Again, the AFPA thanks the Committee for this consultation process and is willing to appear before the Committee if public hearings are conducted.



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