



COMMITTEE SUPPORT

Select Committee on the Inquiry into the
Voluntary Assisted Dying Bill 2023

ANSWER TO QUESTION TAKEN ON NOTICE

Asked by Ms Leanne Castley on 29 January 2024: Ms Kym Torresi took on notice the following question:

Reference: Hansard [uncorrected] proof transcript 29 January 2024 [PAGE 56]

In relation to:

MS CASTLEY: I am happy to be corrected on this, but my understanding would be then speech pathologists would then sort of be taken up into that strict liability, so if you have a speech pathologist that was, you know, a conscientious objector and said no, they then come into that they have two days to make the referral, otherwise there is that strict liability. Have you considered that for your speech pathology group and do you believe that that two days is a good time? Is that an appropriate amount of time et cetera?

Ms Torresi: Certainly. Thank you for that. I noticed in the bill, my understanding of the bill currently is that it does talk to health service providers also having the capacity to conscientiously object and according to the current definitions that is where speech pathology sits, yes?

So I guess I am not necessarily suggesting that we specifically be elevated into the health practitioner general conversation, but just in that specific clause under section 152 where it says, “health practitioner or counsellor or social worker”, if that was added as an “or”. I am not sure if that relates, if that means that you are saying that that does take us up to the strict liability.

If so, I think Speech Pathology Australia would support the notion that we would also have that duty to, you know, connect our clients into the next right for the supports for them and that is part of our code of ethics to do, you know, that sort of process anyway. So thank you. We will take your comments on notice of the two days, but yes, I guess that would be something that we could support in terms of the process.

Speech Pathology Australia: The answer to the Member's question is as follows:–

Speech Pathology Australia acknowledges the ACT VAD Bill's support for both health practitioners and 'health service providers' to conscientiously object to participating in Voluntary Assisted Dying (part 6, (94)). As a self-regulating allied health profession, speech pathologists are identified under the Health Practitioner Regulation National Law ACT referenced by this Bill as health service providers, and hence are assumed to be covered by this clause.

Speech Pathology Australia strongly supports the rights of speech pathologists who conscientiously object to voluntary assisted dying to be able to refuse to participate in a request and assessment process with the person. Speech Pathology Australia also supports the expectation on conscientious objectors to link the person into alternate relevant services and supports as being consistent with good clinical practice and expectations already underpinned by our Speech Pathology Australia Code of Ethics and Professional Standards documents for speech pathologists. Whilst there may be issues impacting timing of this onward referral such as the nature of the part time speech pathology workforce and access in more remote areas, Speech Pathology Australia supports the intent for this onward referral to be made within the mandated 2 day time period.

Approved for circulation to the Select Committee on the Inquiry into the Voluntary Assisted Dying Bill 2023

Signature:



Date: 6.2.24

By Speech Pathology Australia, Senior Advisor Aged Care