

LEGISLATIVE COUNCIL

Question Without Notice

Wednesday, 13 February 2019

C048. Hon Nick Goiran to the Parliamentary Secretary representing the Minister for Health

I refer to your Ministerial Statement delivered on 12 February 2019 in which you asserted that there is now “ample evidence” that it is possible to provide for safe assisted suicide legislation which you state exists in 14 jurisdictions around the world, and I ask:

1. Are you aware that the Joint Select Committee on End of Life Choices did not inquire into any of the wrongful deaths that have occurred in those jurisdictions?
2. Will you table the ample evidence that you are referring to?

Answer

I thank the Honourable Member for some notice of the question.

(1) The Joint Select Committee (JSC) was made up of cross-party membership and undertook an inquiry over 12 months. In the report, *My Life, My Choice*, the Committee considered and reported on the international experience. I draw the Honourable member’s attention to finding 42 – *Having weighed the evidence, the committee concurs with findings by similar parliamentary inquiries in Victoria and Canada that risks can be guarded against and vulnerable people can be protected*. The Minister for Health has appointed an expert panel to provide Government with advice in relation to the introduction of a voluntary assisted dying Bill with safe and robust oversight mechanisms.

(2) There is ample evidence, from a number of jurisdictions, including over 20 years of data from Oregon.

The Oregon Health Authority, Public Health Division has been publishing annual data on the Oregon Dying With Dignity Act (DWD Act) since 1997. The Oregon Health Authority is required by the Act to develop and maintain a reporting system for monitoring and collecting information on participation in the DWD Act. The Authority uses a system involving physician and pharmacist compliance reports, death certificate reviews and follow-up questionnaires from physicians to review compliance with the Act. An annual data summary is publicly available through the Oregon Health Authority Public Health Division.

The Netherlands Euthanasia Act came into effect in 2002. The Netherlands Euthanasia Commission has published annual reports of deaths that occur under the Act since 2003. The Netherlands Government has also established regional Euthanasia Review Committees. The Committees annual report shows figures relating to assisted dying notifications received in

the year in question and outlines how the committees review the actions of physicians who have notified them of cases of assisted dying. The annual report is publicly available.

Voluntary Assisted Dying (VAD) legislation will come into effect in Victoria on 19 June this year. Victoria has established a VAD Review Board to ensure the safe operation of VAD in that state. The Board's powers include monitoring matters related to VAD, reviewing any function or power under the Act, collecting data and reporting to Parliament on the operation of the Act, recommending any improvements, promoting compliance with the Act and promoting continuous improvement in quality and safety. The Board has the power to refer matters to the appropriate agencies such as the Australian Health Practitioner Regulation Agency, the Police and the Coroner.

A handwritten signature in black ink, consisting of a large, stylized capital 'P' followed by a series of loops and a final downward stroke.