

Submission into the Voluntary Assisted Dying Bill 2021

Submission No.: 280
Submitted by: Joel Lowe
Publication: Making the submission and your name public
Position: I/We do not support the Voluntary Assisted Dying Bill
Comments in relation to: Eligibility criteria* ,Safeguards
Attachments: No attachment

Submitter Comments:

In considering this bill, to which I am opposed, I believe it is vital that should this bill be passed strong safeguards are put in place to ensure individuals act voluntarily and without coercion. These criteria are currently required under the proposal, however ensuring they are maintained cannot be ensured by medical professionals alone. While in Qld coercive control is not part of the Criminal Code, it has been introduced with surrounding criteria in the UK and other nations in recent years. A February 2021 article in the QLD Proctor noted that "In Australia, an incredibly complex and delicate debate has begun between advocates, legal practitioners and criminologists with some arguing the laws could become difficult to define and prosecute, leaving victims even more exposed and potentially criminalised themselves". If this statement is true, it means that A. It is impossible to guarantee the eligibility requirements are enforced as part of them (needing to act without coercion) are not defined by law, and B. Should such a definition be introduced into the Criminal Code, the interpretation of this definition would fall to lawyers, not doctors.

As such, the sum of my submission is that should this bill be introduced, the entire voluntary assisted dying process should be overseen and enacted by lawyers, not by doctors or nurses. As substances can in many cases be self administered, the entire process is capable of occurring under a separate administrative and operational structure from the medical profession, which also removes any potential conflict between voluntary assisted dying, and "Either Help, or Do Not Harm".