

Submission into the Voluntary Assisted Dying Bill 2021

Submission No.: 281

Submitted by: Dementia Australia

Publication: Making the submission and your name public

Position: I/We support the Voluntary Assisted Dying Bill but recommend some changes to it.

Comments in relation to: Eligibility criteria* ,Safeguards

Attachments: See attachment

Submitter Comments:



825 Stanley Street, Woolloongabba, QLD 4102
PO Box 8141, Woolloongabba, QLD 4102

Tel (07) 3895 8200

Fax (07) 3895 8266

Email QLD.admin@dementia.org.au

dementia.org.au

23 June 2021

Health and Environment Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Health and Environment Committee

RE: Voluntary Assisted Dying Bill 2021

Dementia Australia welcomes the opportunity to provide a submission to the Queensland Law Reform Commission's Voluntary Assisted Dying Bill 2021. We would like to reiterate key points made in our previous submission to the legal framework for voluntary assisted dying – consultation paper.

People with dementia will differ in the rate at which their abilities deteriorate. However, it is inevitable that a dementia diagnosis will lead to progressive cognitive and functional decline. Most people in the later stages of dementia need significant care and support across almost every aspect of their life. In the later stages of dementia people will often experience more complex personal and clinical care needs, in addition to experiencing psychological pain and distress.

Access to high quality palliative care and end-of-life support is therefore of primary importance to people living with dementia, their families and carers. Dementia Australia believes people with dementia should be able to exercise choice over how they die, be able to die with dignity and without pain – and for those who may choose to do so – access voluntary assisted dying.

Dementia Australia is neither for nor against voluntary assisted dying. However, we support the right of people with dementia to have choice in their end of life care, including their right to access voluntary assisted dying measures where they are



available. Therefore, Dementia Australia's promotes the inclusion of people living with dementia in legislation that enables voluntary assisted dying.

Unlike other terminal conditions, the later stages of dementia often hinder communication and cognition. This means that people with dementia are more likely to be given unwanted life-sustaining treatments, and are often denied the choice in how and when they die.

A dignified death requires planning and support, especially for people with terminal and progressive diagnoses like dementia. Without choice and informed options, people with dementia are forced to die in uncomfortable and unwanted conditions – not only does this impact the person living with dementia, but their family and carers.

Whilst we stress the need for inclusion for people with dementia in to access voluntary assisted dying, it is also imperative that there are strong safeguards to ensure people living with dementia are not directly or indirectly pressured into a decision. The gradual decline in cognitive function can make people with dementia vulnerable to abuse and neglect. This can be a concern for the person with dementia, their families and carers and we acknowledge the complexity of the issue in a legislative context.

Dementia Australia supports family members and carers having the opportunity to be included in the decision-making process for voluntary assisted dying, providing the following conditions are met. First, the person living with dementia must have capacity at the point of making the initial request for voluntary assisted dying. Second, the person with dementia must have formally consented for others to be involved.

Providing there is consent from the individual for others to be involved, we believe that it is appropriate for family members and carers be included in the voluntary assisted dying process and be given equal access to support and information.

I ask the Committee to consider our recommendations, which represent the views expressed by many people living with dementia, their families and carers. You can also refer back to our previous submission to the legal framework for voluntary assisted dying – consultation paper.



Sincerely,

A handwritten signature in black ink, appearing to read "Mairee McCabe".

Mairee McCabe AM

CEO, Dementia Australia