

Submission into the Voluntary Assisted Dying Bill 2021

Submission No.: 429
Submitted by: Marshall Perron
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*
Attachments: See attachment
Submitter Comments:

A SUBMISSION TO THE QUEENSLAND HEALTH, COMMUNITIES, DISABILITY SERVICES AND DOMESTIC AND FAMILY VIOLENCE PREVENTION COMMITTEE INQUIRY INTO THE VOLUNTARY ASSISTED DYING BILL 2021

BY MARSHALL PERRON

24 June 2021

I have closely followed the history of attempts to legalise VAD in Australia and elsewhere for 25 years. Personally, I believe the *Voluntary Assisted Dying Bill 2021* is the best presented to date of those based on terminal illness and suffering. I accept that at this point in time there is no political will to permit VAD for people whose condition is not considered terminal, yet suffer unbearably.

Commendably the Bill has been drafted after consideration of the laws passed in Victoria, WA and Tasmania and the history of practice in Victoria. The Queensland bill presents a sensible, pragmatic, and safe regime avoiding a number of problematic issues identified in Victoria and in previous Australian Bills.

In this submission I propose that the Bill would be improved by a short simple amendment to the eligibility clause 10, Section 2, the definition of 'suffering'.

I propose that the words 'anticipation' and 'expectation' be added to the definition currently contained in the bill.

The Tasmanian *End of Life Choices (Voluntary Assisted Dying) Act 2021* passed by Parliament in April is the first time, I believe, that anticipation and expectation of suffering has been proposed or adopted in VAD legislation anywhere.

The relevant sections of the Tasmanian Act are;

S14 b (ii) anticipation of the suffering, or expectation, based on medical advice, of the suffering, that may arise from the relevant medical condition or from the relevant medical condition together with the person's other medical conditions;

S14 b (iv) anticipation of the suffering, or expectation, based on medical advice, of the suffering, that may arise from the treatment that the person may receive in relation to the relevant medical condition or the combination of that treatment with the treatment of the person's other medical conditions;

S 14 b (vi) anticipation of the suffering, or expectation, based on medical advice, of the suffering, that may arise from the complications of a medical kind arising from, or related to, the treatment of the relevant medical condition or the combination of that treatment with the treatment of the person's other medical conditions.

The advantage of including the proposed words is obvious. Some may be of the opinion that the description of eligibility in the Queensland bill could already be read to include the words proposed to be included. I believe the importance and gravity of the subject, fundamental to the intent of the bill, means the matter should be included to remove any doubt.

The object of the Bill is to allow competent adults the option of hastening their death to relieve unbearable suffering as an act of compassion. The mental anguish about what inevitably is in store during the trajectory to death is very relevant.

The Queensland Bill is already superior to those that preceded it however the opportunity to make it even better should be taken while it is being processed through Parliament.

End

About the author.

Marshall Perron was a member of the Northern Territory Legislative Assembly for 21 years from 1974, serving as a minister for much of that period and Chief Minister for 8 years. He was the architect and sponsor of the first voluntary euthanasia law, the *Rights of the Terminally Ill Act 1995 (Northern Territory)*.