

Submission into the Voluntary Assisted Dying Bill 2021

Submission No.: 1202
Submitted by: Colin Apelt
Publication: Making the submission and your name public
Position: I/We do not support the Voluntary Assisted Dying Bill
Comments in relation to: Conscientious objection by either individuals or entities,Other
Attachments: See attachment
Submitter Comments:

Submission on the Voluntary Assisted Dying Bill Queensland 2021 from C J Apelt

In making this submission, I state clearly that I am opposed to the Voluntary Assisted Dying (VAD) Bill Queensland 2021 and that it is my hope that it will be rejected by the Parliament.

I know from working as a Volunteer in a Palliative Care Ward for more than 20 years that currently available medical tools for palliative care are very effective in managing all levels of pain in all but the very few exceptional cases. In those few cases the patient can be relieved by sedation. Therefore, if the Queensland Government provided enough resources to ensure that every Queenslanders who needed it has access to Palliative Care, there would be no real need or justifiable call for VAD.

Expert advice is that Queensland palliative care services need an additional \$275 million annually to bring them to that level needed. But the Queensland Government will invest just \$150 million this year, and has "\$171 million in investment earmarked for state-wide palliative care across the next five financial years." In contrast, I understand that the Queensland Government budget provides \$20.885 billion for Queensland Health in operating funding. The additional funding needed for adequate Palliative Care services would constitute just 1.3 percent of the Queensland Health operating funding. This is clearly affordable.

No Queenslanders should be forced to choose between pain and death.

Therefore, this submission must not in any way be taken to indicate any support for the Voluntary Assisted Dying Bill Queensland 2021. The purpose of my submission is to seek changes to sections that I consider to be particularly objectionable, should the Bill be passed.

Part 6, Division 1, Clause 84 (2)

Clause 84 (1) provides that a registered health practitioner who has a conscientious objection to voluntary assisted dying has the right to refuse to do anything directly connected with the procedures that lead up to and enable VAD to be carried out; this is detailed in sub-clauses (a), (b), (c), (d), (e). But Clause 84 (2) requires the registered health practitioner to carry out actions detailed in sub-clauses (a), (b) that would be in direct conflict with his/her conscience through a process of collaboration in actions that violate his/her right to conscientious objection as specified in Clause 84 (1).

I submit that Clause 84 (2) is in direct contradiction with the principle that is specified in **Division 2 Principles of voluntary assisted dying Clause 5 Principles sub-clause (h)** "*a person's freedom of thought, conscience, religion and belief and enjoyment of their culture should be respected*"

I submit that Clause 84 (2) must be deleted.

Part 6, Division 1, Clause 85 (2)

Clause 85 (1) provides that a speech pathologist who has a conscientious objection to voluntary assisted dying has the right to refuse to do anything directly connected with the procedures that lead up to and enable VAD to be carried out; this is detailed in sub-clauses (a), (b), (c), (d). But Clause 85 (2) sub-clause (b) requires the speech pathologist to carry out actions that would be in conflict with his/her conscience through a process of collaboration in actions that violate his/her right to conscientious objection as specified in Clause 84 (1).

I submit that Clause 85 (2) sub-clause (b) is in direct contradiction with the principle that is specified in **Division 2 Principles of voluntary assisted dying Clause 5 Principles sub-clause (h)** "*a person's*

freedom of thought, conscience, religion and belief and enjoyment of their culture should be respected”

I submit that Clause 85 (2) (b) must be deleted.

Subdivision 3 Access to voluntary assisted dying

Clause 91 Application of subdivision

This subdivision applies if a person is receiving relevant services from a relevant entity at a facility.

Each of the following listed Clauses applies in the circumstance that the entity where the person is receiving relevant services does not provide access to any of the processes connected with access to voluntary assisted dying: -

Clause 92 First requests and final requests

Clause 93 Second requests

Clause 94 First assessments

Clause 95 Consulting assessments

Clause 96 Administration decisions

Clause 97 Administration of voluntary assisted dying substance

Each of these Clauses requires the entity to facilitate in various ways the processes connected with access to voluntary assisted dying, including permitting some or all of those processes to be carried out at the entity where the person is receiving relevant services not connected with voluntary assisted dying.

Where the policy of the relevant entity is opposed to voluntary assisted dying, I submit that Clauses 92, 93, 94 95, 96, 97 are in direct contradiction with the principle that is specified in **Division 2 Principles of voluntary assisted dying Clause 5 Principles sub-clause (h)** “a person’s freedom of thought, conscience, religion and belief and enjoyment of their culture should be respected”.

The freedom of choice of every person who may seek relevant services from the entity is guaranteed by the information that the entity must provide and publish that is required by **Subdivision 4 Information about non-availability of voluntary assisted dying.**

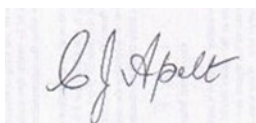
I submit that Clauses 92, 93, 94 95, 96, 97 must be deleted.

Part 9 Offences

141 Inducing a person to request, or revoke request for, voluntary assisted dying

(1) A person must not, dishonestly or by coercion, induce another person to make, or revoke, a request for access to voluntary assisted dying.

I submit that what is intended by the word ‘coercion’ must be defined in legal terms.



Em Prof Colin Apelt