



Speech by

PETER WELLINGTON

MEMBER FOR NICKLIN

Hansard 6 December 2001

GUARDIANSHIP AND ADMINISTRATION AND OTHER ACTS AMENDMENT BILL

Mr WELLINGTON (Nicklin—Ind) (12.42 p.m.): I rise to participate in debate on the Guardianship and Administration and Other Acts Amendment Bill 2001. In speaking to this bill, I acknowledge that the minister in his second reading speech stated that the purpose of this bill is to overcome a possible consequence in the Guardianship and Administration Act 2000 that could bring unintentional distress to the families of people with impaired capacity. I understand the bill clarifies when a guardian or attorney can consent to life-sustaining measures being withdrawn or withheld. I also understand the minister's amendment will allow guardians and attorneys to make decisions about the withdrawal or withholding of life-sustaining treatment where that decision is consistent with good medical practice, and I stress 'is consistent with good medical practice'.

In participating in debate on the bill, I acknowledge report No. 2001/30 prepared by the Queensland Parliamentary Library for the assistance of members on this matter, and I commend the report to all members. I refer all members to the proposed definition of what constitutes good medical practice. The bill states—

'Good medical practice' is good medical practice for the medical profession in Australia having regard to—

- (a) the recognised medical standards, practices and procedures of the medical profession in Australia; and
- (b) the recognised ethical standards of the medical profession in Australia.

I understand that in Australia the Queensland Medical Association publishes a code of ethics as a guide to the standards of conduct expected of Australian doctors. The standard for Australian doctors to adhere to in the treatment of dying patients is that, while they are obliged to preserve the life of a patient where death is imminent and where curative or life-prolonging treatment appears to be futile, they should try to ensure that the patient dies with dignity and in comfort. I understand that the National Health and Medical Research Council also provides various ethical guidelines relating to health, including medical research and clinical medical practices. I will be supporting the bill.
