



# Inquiry into End of Life Choices

## International investigation: 2016

### Terms of reference

The Committee is required to inquire into the need for laws in Victoria to allow citizens to make informed decisions regarding their own end of life choices, and in particular, the Committee should –:

1. Assess the practices currently being utilised within the medical community to assist a person to exercise their preferences for the way they want to manage their end of life, including the role of palliative care;
2. Review the current framework of legislation, proposed legislation and other relevant reports and materials in other Australian states and territories and overseas jurisdictions; and
3. Consider what type of legislative change may be required, including an examination of any federal laws that may impact such legislation.

### Itinerary

Amsterdam, Netherlands,  
29 March – 1 April

Zurich, Switzerland, 2 – 3 April

Ottawa, Canada, 4 – 5 April

Portland/Salem, Oregon, US, 6 – 8 April

### Discussion points

#### Government/ General

- How does the public view the assisted suicide/voluntary euthanasia laws?
- What are the challenges for government in establishing, implementing and maintaining a regime for assisted suicide/voluntary euthanasia
- What organisations and institutions should government work with in an implementation phase?
- What is your opinion of the assisted suicide/voluntary euthanasia systems in other jurisdictions? Are there aspects of those systems that you would like to see put in place here?
- Who is eligible for assisted suicide/voluntary euthanasia? Who is not eligible? What is the reasoning behind this?
- What effect has regulation of assisted suicide/voluntary euthanasia had on end of life issues?
- Who is using assisted suicide/voluntary euthanasia?
- How do you deal with issues of mental competence, particularly patients with dementia?

- Why was assisted suicide/voluntary euthanasia introduced in your jurisdiction?
- When assisted suicide/voluntary euthanasia was introduced, what was the attitude of the medical profession? Has this changed over time? Is there any evidence that assisted suicide/voluntary euthanasia has diminished the respect for life or the sanctity of life in the health care system, or society more broadly?

#### Law/Oversight/ Review Bodies

- What aspects of the assisted suicide/voluntary euthanasia system's development and implementation process worked well? How could the process have been improved?
- What safeguards are in place to protect against abuse of the system?
- Are the safeguards working? Do you think they can be improved?
- Is there a cooling off period in place and how is that managed?
- What oversight/review system is in place? Is it working? How would you improve it?

- What is the level and nature of non-compliance?
- What consequences are there for non-compliance? Have there been any medical board actions or legal proceedings against doctors?
- Did introduction of voluntary euthanasia/assisted suicide seek to resolve particular legal problems in your jurisdiction?

#### Medicine

- How does the medical profession view the assisted suicide/voluntary euthanasia laws?
- What is the role, and what are the expectations, of the physician in end of life care?
- What are the medical practices currently in use to assist people to exercise their preferences in managing their end of life?
- What role did the medical profession play in establishing the assisted suicide/voluntary euthanasia system? What is the ongoing role in updating/improving the system?
- How do you allow for doctors who conscientiously object to assisted suicide/voluntary euthanasia?

- What systems have health services (hospitals/aged care services/general practitioners) implemented to facilitate assisted suicide/voluntary euthanasia?
- Where do most people die under your system? At home? In hospital? Why? Is this similar or different to natural deaths?
- How does palliative care fit into a broader framework for end of life choices?
- How has your assisted suicide/voluntary euthanasia system affected your palliative care system?
- Since the introduction of the assisted suicide/voluntary euthanasia regime in your jurisdiction, has its scope expanded? If so, why?
- What impact, if any, has the introduction of assisted suicide/voluntary euthanasia had on the culture of the health system?



# Inquiry into End of Life Choices

## International investigation: 2016

### Role of the committee

The Legal and Social Issues Committee is one of three Standing Committees appointed by the Parliament of Victoria's Legislative Council.

The Committee has eight members, representing government and opposition parties.

The function of the Committee is to inquire into and report on any proposal, matter or thing concerned with community services, education, gaming, health, and law and justice.

Committee Inquiries result in policy recommendations to the Victorian Government and can lead to legislative change.

### Contact

**Ms Lilian Topic**  
 Committee Secretary

**E** [lilian.topic@parliament.vic.gov.au](mailto:lilian.topic@parliament.vic.gov.au)

**P** +61 3 8682 2928

**M** +61 417 322 053

**W** [www.parliament.vic.gov.au/lisic](http://www.parliament.vic.gov.au/lisic)

### Members of the delegation



**Hon Edward O'Donohue MLC (Chair)**

LIBERAL PARTY | Eastern Victoria

Edward O'Donohue has served as Member of the Eastern Victoria Region since 2006. He was a solicitor and barrister then a director of a real estate and project management company. He held numerous Ministerial positions under the Napthine Ministry. He currently serves as Shadow Minister for Police, Shadow Minister for Community Safety, and Shadow Minister for Corrections.



**Ms Nina Springle MLC (Deputy Chair)**

VICTORIAN GREENS | South-Eastern Metropolitan

In 2014 Nina became the first Greens MP to represent the South Eastern Metropolitan Region in Victoria's Parliament. Nina has worked as a consultant in the community and education sector. She is the Victorian Greens spokesperson for Families and Children, Multicultural Affairs, Women and Family Violence Protection.



**Mr Cesar Melhem MLC**

LABOR PARTY | Western Metropolitan

Born in Lebanon, Cesar migrated to Australia at the age of 23. Before entering Parliament in 2013, Cesar served in the Australian Workers Union including 7 years as the elected State Secretary. Cesar is also a former director of a superannuation provider and of a financial services organisation.



**Ms Fiona Patten MLC**

AUSTRALIAN SEX PARTY | Northern Metropolitan

Fiona is the leader of the Australian Sex Party. She has been a lobbyist for sex worker rights, online anti-censorship, HIV/AIDS, disability rights and drugs. She has held positions on the Board of the AIDS Action Council, Australian Federation of AIDS Organisations Committee and is a Director for the Adult Industry Copyright Organisation.



**Ms Jaclyn Symes MLC**

LABOR PARTY | Northern Victoria

The former legal and justice adviser to current Premier Daniel Andrews, Jaclyn has worked on dealing with Victoria's ice crisis. She also worked for the Australian Services Union.



### Parliament of Victoria, Australia

The Parliament of Victoria is one of the eight state and territory parliaments in Australia. With approximately 5.6 million people Victoria is the second most populous Australian state. The Parliament of Victoria comprises 128 Members of Parliament: 88 in the Legislative Assembly and 40 in the Legislative Council. Members are elected to represent electorates across Victoria. The Labor Party is currently in government.