



Minister for Health, Mental Health and Ambulance
Services
Minister for Women

1 William Street Brisbane Qld 4000
GPO Box 48 Brisbane
Queensland 4001 Australia
Telephone +61 7 3035 6100

C-ECTF-24/13531

Mr Neil Laurie
Clerk of the Parliament
Queensland Parliament
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I write in response to your letter regarding petition numbers 4106-24 and 4156-24, tabled in Parliament on 20 August 2024, in relation to Compassionate Assisted Dying. As these petitions are similar in nature, I have taken the liberty of responding to both petitions in this letter. I therefore ask that this response be noted against each petition.

I acknowledge and respect that voluntary assisted dying and other end of life options are sensitive, with many holding deeply personal views for reasons that are important to them.

Palliative care is an approach that seeks to improve the quality of life of people and their families who are living with a life-limiting illness, through the prevention and relief of suffering by means of early identification and correct assessment and treatment of pain and other problems, whether physical, psychosocial, or spiritual. Healthcare workers and services across Queensland provide high-quality, holistic, and compassionate palliative care.

For some people suffering from a life-limiting condition, even the best quality palliative care is unable to effectively manage their pain, symptoms or suffering, and they may choose to request access to voluntary assisted dying.

Voluntary assisted dying is one of several choices that a person may have at the end of their life. Voluntary assisted dying gives people who are suffering and dying, and who meet eligibility criteria, the option to ask for medical help to end their life.

The *Voluntary Assisted Dying Act 2021* (the Act) provides for and regulates access to voluntary assisted dying. The Act outlines strict eligibility criteria for people who wish to access voluntary assisted dying. To be eligible to access voluntary assisted dying, a person must meet all eligibility criteria:

- have an eligible disease, illness or medication condition that is:
 - advanced, progressive and will cause death;
 - expected to cause death within 12 months; and
 - causing suffering that the person considers to be intolerable;
- have decision making capacity for voluntary assisted dying;
- be acting voluntarily and without coercion;
- be at least 18 years of age; and
- fulfill residency requirements.

Having decision-making capacity is a key safeguard for accessing voluntary assisted dying. Accordingly, there are a number of stages in the voluntary assisted dying process at which a person must be assessed as having decision-making capacity by two independent medical practitioners. This ensures that a person accessing voluntary assisted dying has decision-making capacity at all stages of the process, and is an important principle in providing adequate protection for vulnerable people.

An advance health directive is a legal document that allows people to make decisions about future healthcare and treatment, in line with their values and wishes, in the event they are unable to do so. Voluntary assisted dying cannot be accessed through an advance health directive, as this comes into effect when a person loses decision-making capacity. Further information is available at: https://www.health.qld.gov.au/data/assets/pdf_file/0025/1196332/ACP-VAD-factsheet-for-consumers.pdf.

The *Voluntary Assisted Dying Act 2021* will be reviewed three years after commencement. This will include a review of the eligibility criteria. The Queensland Government will invite all Queenslanders to contribute to the review at the appropriate time.

More information about voluntary assisted dying in Queensland is available at www.health.qld.gov.au/vad.

I trust this information is of assistance to the petitioners.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shannon Fentiman', written in a cursive style.

Shannon Fentiman MP

Minister for Health, Mental Health and Ambulance Services
Minister for Women
Member for Waterford