



## POSITION STATEMENT

# Voluntary Assisted Dying

## Our position

The Leukaemia Foundation has a bold shared goal of zero lives lost to blood cancer by 2035. To achieve this, we are unswervingly patient first – meaning the services we provide, research projects we fund, or issues we advocate for, have people living with blood cancer at the forefront of every decision we make.

We recognise assisted dying is a complex topic that can evoke strong opinions and we respect the rights of individuals to take a position on this important issue.

*While we remain neutral on assisted dying, we recognise that to be patient first is to believe that everyone with blood cancer should have access to all the healthcare options they need.*

Voluntary assisted dying is one aspect of end-of-life care. We believe the introduction of assisted dying across Australia's states and territories doesn't remove or replace the importance of accessing quality treatment and care, including palliative care.

It's critical palliative care and end-of-life care for blood cancer patients is accessible and appropriate – no matter who, no matter where.

Any decisions involving end-of-life care should be made with appropriate healthcare practitioners in line with state law and requirements. Leukaemia Foundation staff, members and volunteers are not permitted under law to discuss voluntary assisted dying with patients and carers. If a patient or carer has questions about assisted dying, Leukaemia Foundation staff will refer them to the appropriate healthcare practitioners, in accordance with state law and requirements.



**Alignment with Patient First Strategy Pillar:**  
**Improve the experience for all those affected by blood cancer**

## What we do

The Leukaemia Foundation is the Australian charity stopping blood cancer from wrecking lives.

We exist for every Australian affected by any type of blood cancer, including leukaemia, lymphoma and myeloma.

The Leukaemia Foundation offers expert support, funds leading-edge research and campaigns to make change for Australians facing blood cancer.

Our goal is zero lives lost to blood cancer by 2035.

Our values power our purpose and drive us toward our goal: we care deeply, we're bold, and we always step up and make it count for people living with blood cancer.

## Why we do it

Your blood is a remarkable thing. It keeps you alive by giving your body what it needs, taking away what it doesn't and fighting off infection.

Blood cancer stops your blood from doing what it needs to keep you alive and healthy.

It develops in the places of your body where blood is made, but its exact cause is unknown.

Another 53 Australians are diagnosed with blood cancer each day, joining more than 135,000 people living with the devastating impact of our second most diagnosed cancer.

A range of things affect someone's chance of surviving blood cancer and it can be incurable. Sadly, another 16 Australians will lose their life to blood cancer each and every day.

# Frequently asked questions

## ***What is Voluntary Assisted Dying?***

Voluntary assisted dying (VAD) refers to the assistance provided to a person by a health practitioner to end their life. It includes:

‘self-administration’, where the person takes the VAD medication themselves (this is sometimes called physician-assisted suicide or dying), and

‘practitioner administration’, where the person is given the medication by a doctor (or in some Australian states, a nurse practitioner or registered nurse) (this is sometimes called voluntary euthanasia).

‘Voluntary’ indicates that the practice is a voluntary choice of the person, and that they are competent (have capacity) to decide to access VAD.

## ***Where is Voluntary Assisted Dying (VAD) accessible in Australia?***

In Victoria and Western Australia VAD is in operation and is available (in limited circumstances) to people who meet the eligibility criteria.

VAD laws will commence in Tasmania on 23 October 2022, South Australia in early 2023, Queensland on 1 January 2023, and New South Wales on 28 November 2023. It is currently illegal to access VAD in these states until these laws commence.

VAD is illegal and inaccessible in the Northern Territory and the Australian Capital Territory. Each state has safeguards to ensure that VAD is only accessed by eligible people. As Leukaemia Foundation staff cannot participate in conversations relating to voluntary assisted dying, staff will refer people residing in a territory to the appropriate healthcare professionals to engage in discussions related to voluntary assisted dying.

Some of the key safeguards in all states are:

- Restrictions on when health professionals can initiate a discussion or provide information to a person about VAD.
- Requirements in some cases for additional specialist opinions to be obtained to determine if a person is eligible for VAD. An example is where it is unclear that a person has capacity.
- Strict protocols governing the prescription, dispensing and disposal of VAD medications.
- Any unused or remaining VAD medication must be returned (e.g. to the dispensing pharmacist).
- Offences for anyone who encourages or persuades another person to request VAD, or take the VAD medication.
- Oversight by independent Boards or Commissions in all states. Their roles include monitoring, reporting, and research.

## ***Can Leukaemia Foundation staff, members or volunteers discuss assisted dying with a patient or carer?***

No. Staff, members or volunteers are not permitted to initiate a discussion or discuss voluntary assisted dying broadly with a patient or carer. Any conversation regarding assisted dying should be had with the appropriate healthcare practitioner. Leukaemia Foundation staff will refer a patient to the appropriate healthcare practitioner if a conversation does arise.

There are strict laws, requirements and regulations that govern who can initiate, or have discussions about assisted dying.

## REFERENCES

1. End of Life Law in Australia, Australian Centre for Health Law Research, QUT, June 2022: available here: [https://cms.qut.edu.au/\\_\\_data/assets/pdf\\_file/0005/1163408/ELLA-VAD-factsheet-June-2022.pdf](https://cms.qut.edu.au/__data/assets/pdf_file/0005/1163408/ELLA-VAD-factsheet-June-2022.pdf)
2. Ben White, Lindy Willmott, Katrine Del Villar et al, 'Who is eligible for voluntary assisted dying? Nine medical conditions assessed against five legal frameworks' (2022) 45(1) University of New South Wales Law Journal 401-444. Katrine Del Villar, Ben White,
3. Eliana Close et al, 'Voluntary Assisted Dying by Practitioner Administration Is Not Suicide: A Way Past the Commonwealth Criminal Code?' (2022) 29(1) Journal of Law and Medicine 29-141.

**More questions? Get in touch**

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