



PARLIAMENT OF VICTORIA

Legislative Council

Legal and Social Issues Committee

Inquiry into end of life choices

Interim Report

November 2015

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This report is also available online at the Committee's website.

Report

On 7 May 2015, the Legislative Council resolved:

That pursuant to Sessional Order 6 this House requires the Legal and Social Issues Committee to inquire into, consider and report, no later than 31 May 2016, on 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.

The Terms of Reference are broad. Since May the Legal and Social Issues Committee has consulted widely with the community through its submission and hearing process.

Many members of the community, stakeholders, peak bodies and organisations have been provided with an opportunity to respond to the Terms of Reference and have done so.

The Committee has received 1016 submissions and published 895 personal submissions, and 104 from organisations. A number have been granted confidentiality and have not been published.

The formal closing date for acceptance of submissions was 31 July 2015, however the Committee has continued to accept submissions since then.

The Committee has heard from 119 witnesses at 14 public Hearings in Melbourne, Traralgon, Mornington, Warrnambool, Geelong, Bendigo and Shepparton.

Further Hearings have been scheduled for 18 and 25 November 2015.

The Committee has heard the perspective of general practitioners; nurses; physicians; palliative and aged care medical experts; law enforcement; the courts; ethicists; academics; religious bodies; community organisations; legal experts and significantly the dying themselves and their families and friends.

The Committee has also met privately with experts in the fields of palliative care and medical law.

Twenty six deliberative meetings have been held by the Committee. Four videos have been produced to inform the public of the progress of the Inquiry.

Transcripts of evidence and submissions to the Committee can be found on the Committee's website: www.parliament.vic.gov.au/lisic.

Hundreds of recommendations have been suggested to the Committee by stakeholders covering areas which the Terms of Reference ask the Committee to address, including: assisted dying legislation; advance care planning; palliative care; community palliative care; support for medical staff and carers and many other issues.

On 28 October 2015 the Government issued a media release, *Victorians to Have Their Say On End Of Life Care*, announcing the release of a new discussion paper *Greater Say for Victorians: Improving End of Life Care* which addresses five key areas of concern to the government: enabling genuine choice; supporting individuals, families and carers; responding to diversity; helping people to die well; and supporting our workforce. An extensive website and consultation process has been established to support development of a new framework for end of life care. Inevitably there will be some overlap in the process that the government has commenced with that of the Committee's work, given the respective terms of reference and subject matter being addressed.

The Committee is currently considering its agenda for 2016, including how to best gain an appropriate understanding of the legislative and medical frameworks in other contemporary jurisdictions. We are committed to responding fully to the Terms of Reference for the Inquiry into End of Life Choices.

Legal and Social Issues Committee

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