

Additional document (1) as part of Ian Wood evidence. VAD and scheduling of drugs and poisons

Scheduling is a national classification system that controls how medicines and poisons are made available to the public. Medicines and poisons are classified into Schedules according to the level of regulatory control over the availability of the medicine or poison required to protect public health and safety.

The Schedules are

Schedule 1 Not currently in use

Schedule 2 Pharmacy Medicine

Schedule 3 Pharmacist Only Medicine

Schedule 4 Prescription Only Medicine OR Prescription Animal Remedy

Schedule 5 Caution

Schedule 6 Poison

Schedule 7 Dangerous Poison

Schedule 8 Controlled Drug

Schedule 9 Prohibited Substance

Schedule 10 Substances of such danger to health as to warrant prohibition of sale, supply and use

The Schedules are published in the [Poisons Standard](#) and are given legal effect through state and territory legislation. The Poisons Standard is also referred to as the Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP).

The drugs most likely to be used for VAD are included in Schedule 8, (or Schedule 4) A Permit is generally required for a medical practitioner to prescribe Schedule 8.

As I understand it, technically, items in the Schedules 6 and 7, which are classed as poisons, are unlikely to be prescribed for VAD.

Ref: <https://www.legislation.gov.au/Series/F2021L01345> and <https://www.tga.gov.au/publication/poisons-standard-susmp>

The VAD Bill has - **prescription**, in relation to a voluntary assisted dying substance, has the same meaning as the prescription of a Schedule 4 poison or Schedule 8 poison in the Poisons and Therapeutic Goods Act 1966. (Page 80 of VAD Bill 2021)

Ian Wood comment. As a former pharmacist, and as I understand these Schedules, a correct definition would be -

prescription, in relation to a voluntary assisted dying substance, has the same meaning as the prescription of a Schedule 4 Prescription Only Medicine or Schedule 8 Controlled Drug, in the Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP).under the Poisons and Therapeutic Goods Act 1966. (Page 80 of VAD Bill 2021)

This would have meant MPs opposing VAD such as Tanya Davies could not have continually spoke of poisons being used to cause death under the Act, etc. The word 'poison' is used in a negative way approx 60 times in Hansard during the Third Reading debate.

The idea that a person has been poisoned when accessing VAD must also be distressing for the surviving family. Obviously, "a voluntary assisted dying substance" which is used elsewhere in the Act to describe the medication taken, is a better definition from the family viewpoint.

Recommendation to this Inquiry.

That the Inquiry discuss with the Therapeutic Goods Administration to ensure my understanding of the above Schedules is correct, and with Alex Greenwich to make any recommendation for a change to correct the definition, here (and elsewhere) in the VAD Bill 2021.