

Provisions of the Voluntary Assisted Dying Bill 2021

Hearing – 13/12/2021

Supplementary questions

QUESTION 1

Further to the evidence that was provided at the hearing (Hansard, pages 9-26), and in addition to the provision to the committee of the comparative review or legal analysis done between the Voluntary Assisted Dying Bill 2021 and legislation passed in other Australian jurisdictions, can you check to establish if NSW Health has undertaken (internally, or from external sources) any other review or legal advice about the Bill, its provisions, its implementation, its operation, its consequences intended or otherwise and any other matters relating to it, if it was to pass into law in its current or similar form? If so, can those documents whether they are in hard copy or electronic form be provided to the committee?

ANSWER

Please see response to Supplementary Question 2 below.

QUESTION 2

If the answer to question 1 above is that NSW Health has not undertaken (internally, or from external sources) any review or legal analysis of the Voluntary Assisted Dying Bill 2021 beyond the comparative review or legal analysis referred to at the hearing on 13th December and being provided to the committee, given that the Bill provides for the establishment and operation of a procedure that will enable legalised assisted suicide and euthanasia (i.e. the death of New South Wales citizens), why not?

ANSWER

The Voluntary Assisted Dying Bill 2021 is a Private Member's Bill, which has not passed the NSW Parliament. The NSW Ministry of Health has not undertaken any detailed review or obtained formal advice about the bill.

Officers in the Ministry of Health have liaised with other jurisdictions to gain an understanding of the expected work required to prepare for the commencement of the bill should it pass the NSW Parliament.

QUESTION 3

In your evidence (Hansard, page 10) it was explained that there is "*another meeting of that group [made up of state representative] scheduled for 21st December and they will be ongoing, and it is our intention to continue to work with them*". Regarding this group:

- a) what is its formal name?
- b) how often does it meet?
- c) where does it meet?
- d) what is the seniority of the state representatives attending these meetings?
- e) who is the representative from New South Wales that attends these meetings?
- f) do these meetings have a formal agenda?
- g) if the meetings have a formal agenda who prepares and approves them?
- h) do the group meetings have any decision making power?

i) if the group meetings have any decision making power, what is that power?

j) are briefings and reports provided to the Minister for Health on an ongoing basis regarding the business dealt with at the group meetings?

k) if briefings and reports are provided to the Minister for Health regarding business dealt with at the group meetings, who provides those briefings and reports to the Minister for Health?

ANSWER

NSW has joined representatives from other jurisdictions' health departments in a virtual and informal forum to learn from other states about their experience implementing voluntary assisted dying frameworks. To date, representatives from the NSW Office of the Chief Health Officer have attended two meetings.

The group is not formally established, does not have a regular meeting schedule or formal agenda, and does not have any decision-making power.