

**Submission  
No 28**

**INQUIRY INTO PROVISIONS OF THE VOLUNTARY  
ASSISTED DYING BILL 2021**

**Organisation:** ACON  
**Date Received:** 22 November 2021

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22 November 2021

The Hon. Wes Fang, MLC  
Chair, Standing Committee on Law and Justice  
Inquiry into the Provisions of the Voluntary Assisted Dying Bill 2021  
Parliament of NSW  
SYDNEY NSW 2000



Submitted online at:

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/lodge-a-submission.aspx?pk=2838>

Dear Chair

***Re: Inquiry into the Provisions of the Voluntary Assisted Dying Bill 2021***

As a member of the NSW Voluntary Assisted Dying (VAD) Alliance, we welcome the opportunity to provide a submission in support of the Private Member's Bill being put forward by Alex Greenwich MP to legalise voluntary assisted dying (VAD) in NSW.

NSW is now the only state jurisdiction in Australia yet to introduce such laws, and we believe that terminally ill people in NSW deserve the right to legally access VAD to ensure a dignified end to their lives.

ACON is NSW's leading health organisation specialising in community health, inclusion and HIV responses for people of diverse sexualities and genders. Established in 1985, ACON works to create opportunities for people in our communities to live their healthiest lives.

ACON has a long history of advocating for a system of legal and strongly regulated VAD in NSW. VAD emerged as an important issue for our communities during the peak of the HIV epidemic and prior to effective HIV treatment, with many terminally ill people living with HIV/AIDS seeking out information from ACON on the issue.

In June 1995, ACON drafted legislation that would make similar changes in NSW, stating the main objective was to 'eliminate the secrecy, fear and hypocrisy which surrounds euthanasia, and restore dignity to people who are making a fundamental decision of their lives'. ACON supported Bills introduced in 2003, 2013 and 2017 and have produced submissions and letters calling for laws to be passed to allow VAD.

With the advent of effective HIV treatments, the issue has become somewhat less prominent for people living with HIV. However, while the nature of HIV/AIDS has changed dramatically since the mid-nineties, there is still a considerable proportion of people in our communities who may desire access to VAD should it be made available to them through legal mechanisms.

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Access to VAD is an important issue for people within our communities, particularly as the proportion of people getting older grows. Considering this and ACON's history advocating for reform, ACON continues to support legalising VAD in NSW.

The Bill stipulates that VAD will only be available to those who are terminally ill, are mentally competent, and satisfy strict eligibility criteria. Evidence from jurisdictions overseas and in other Australian states where similar laws are in place show that these laws are safe and effective. Additionally, the Bill preserves the right to conscientious objection by not requiring or compelling doctors to assist terminally ill patients who wish to end their lives.

We believe this Bill adequately balances the protections of patients and healthcare providers and ensures that the regime is workable and not restricted by unnecessary processes or complexity.

The NSW VAD Bill has benefitted from the experience in other states and numerous inquiries and reports from Australia and overseas. Similar laws in other Australian jurisdictions (such as Victoria) contain restrictions which have adversely affected terminally ill people.

The NSW VAD Bill is based on the WA voluntary assisted dying laws, which addresses many of these issues without compromising safety. We believe the Bill in its current form is entirely adequate and safe and sufficiently balances necessary protections with a workable system for terminally ill patients.

The passage of this Bill would be a landmark reform and represents an historic opportunity for NSW. As advocates for LGBTQ people and people living with HIV who may wish to access VAD at the end of their lives, we support this Bill in its current form.

We thank you for the opportunity to provide this submission on this important issue.

Kind Regards

Nicolas Parkhill  
**Chief Executive Officer**