



Discussion guide 2 of 5

Eligibility: Who should have access to voluntary assisted dying?

The ACT Government acknowledges the many Canberrans who have experienced, or are experiencing, suffering in the face of illness, disease, and medical conditions. We also acknowledge the hardships and grief experienced by their loved ones and carers.

This Discussion Guide contains information that may be distressing or uncomfortable. If you need support, contact [Lifeline](#) on **13 11 14** or [Griefline](#) on **1300 845 745**.

Introduction

Voluntary assisted dying is a safe and effective medical process that gives an eligible person the option to end their suffering by choosing how and when they die. The ACT Government invites Canberrans to share their views on how a voluntary assisted dying model is designed for the ACT. We are committed to understanding our community's experiences in developing our approach to voluntary assisted dying in the ACT.

To help you provide your views on voluntary assisted dying, a series of short Discussion Guides are available. These Guides summarise

five key themes explored in a longer Discussion Paper including an introduction, eligibility, the process, the role of health practitioners and health services, and monitoring and compliance.

Who should have access to voluntary assisted dying?

Only eligible people should be allowed to choose voluntary assisted dying. Voluntary assisted dying should not be available to a person unless they meet all the criteria. For example, a person with a disability or a mental illness who wants to access voluntary assisted dying will only have access to voluntary assisted dying if they meet all the eligibility criteria.

We are seeking your views on who should be eligible for voluntary assisted dying. Eligible means a person is allowed to choose voluntary assisted dying. You may wish to consider the following topics when providing your feedback.

Able to make decisions

In other places in Australia, people who have lost the ability to make decisions cannot access voluntary assisted dying. This means a person's decision to access voluntary assisted dying is their own free decision, not a decision made by anyone else. A doctor assesses whether a person can make decisions about voluntary assisted dying. For example, if a doctor thinks a person's disease (for example, advanced dementia) means the person cannot make

important decisions about voluntary assisted dying, the person would not be able to access voluntary assisted dying.

Suffering from a condition, illness or disease

In other places in Australia, a person's condition, illness or disease must be advanced, progressive or likely to cause death.

In most places, the person's condition must also be causing suffering that is unbearable for that person. In Tasmania, a person can access voluntary assisted dying if their condition is causing unbearable suffering, but also if their treatment is causing them unbearable suffering, or if they expect their condition or treatment will cause unbearable suffering in future.

Expected to die soon

In other places in Australia, a person can only access voluntary assisted dying if they are likely to die within six to 12 months. This is designed to make sure that a person can only choose voluntary assisted dying if they are close to dying. But because it can be difficult to estimate how soon a person will die, this can also mean a person may suffer and die before they are considered eligible to access voluntary assisted dying.

Living in the ACT

In other places in Australia, a person must be a citizen or permanent resident of Australia to access voluntary assisted dying. Also, a person can only access voluntary assisted dying in the state where they have lived for a long time. In some places, a person can also access voluntary assisted dying in a state they don't live in if they have a special connection to that state – for example, if they have family or access health services there.

There are lots of people who live in New South Wales but access health services in the ACT. There are also lots of people who do not live permanently in the ACT but need support from family and friends who live in the ACT. We want to know your views on how we can treat these people fairly.

Age

In other places in Australia, a person can only access voluntary assisted dying if they are an adult aged 18 or over. This means that an eligible 17-year-old could not access voluntary assisted dying, but an eligible 18-year-old could access voluntary assisted dying. We want to know your views on how we can treat young people fairly if they are suffering, if they are mature enough to make their own decisions, and they meet all the other eligibility criteria to access voluntary assisted dying.

How can I share my views?

To share your views on how a voluntary assisted dying model is designed for the ACT, visit the [YourSay website](#) by 6 April 2023. There are many ways you can have your say.

If you need help to access information or have your say, please call Access Canberra on 13 22 81.

If you would like some more detailed information about these issues and why we want your views, please read the [Discussion Paper](#).