

**19 June 2024**

## **MEDIA RELEASE**

### **Dying With Dignity Victoria Turns 50 & Calls for Major Improvements to VAD laws**

Today, on the 5th anniversary of Victoria's ground-breaking Voluntary Assisted Dying (VAD) laws, Dying with Dignity Victoria (DWDV) is celebrating its own 50th birthday by calling for a number of significant changes to those laws, including:

- Expanding the eligibility for VAD by removing the prognosis restriction that requires a specialist to diagnose death within 6 or 12 months;
- Scrapping the 'gag clause' that puts a doctor's registration at risk for telling patients about their right to access VAD (but maintaining offences for coercion);
- Allowing patients with dementia to use Advance Care Directives to access VAD; and
- Removing the ability for certain institutions to refuse VAD.

DWDV President Jane Morris said she was proud of the achievements of DWDV to reform laws and give Victorians a greater say over their end-of-life choices.

"I am very proud of the incredible reforms DWDV has achieved for Victorians over the past 50 years.

"It has not been an easy feat to change legislation - and attitudes - surrounding voluntary assisted dying, but the tragic stories we continue to hear motivate us to keep pushing for change.

"We've come so far with legislative change, we have built support services for individuals and families who are suffering, and there's still so much more to do," Ms Morris said.

#### **Some key milestones of DWDV's history:**

- DWDV was founded in 1974 as the Voluntary Euthanasia Society of Victoria Inc to encourage law reform and education around self-determination and dignity at the end-of-life.
- DWDV first developed draft legislation for both voluntary 'euthanasia' and physician assisted suicide in 1992 which was not implemented.
- In 1995, DWDV organised the 'Melbourne Seven' – a group of seven doctors who wrote to then-Victorian Premier Jeff Kennett stating that they had helped their patients to die, and urging him to change the law.
- The organisation has seen huge political changes and setbacks over the past five decades, including when in 1999, DWDV through the efforts of Victorian Labor's Secretary, achieved commitment for a review of the Medical Treatment Act. This was later revoked without explanation.

- Victoria's VAD legislation passed in 2017 after a mammoth 28-hour sitting in the Legislative Council alone.
- In June 2023, the Victorian Government commenced its 5-year review of the operation of Victoria's VAD Act.

**Ms Morris said DWDV was using its 50th birthday to call for further reforms.**

"We are using our 50th birthday to call for further reforms to modernise Victoria's already-outdated VAD laws," said Ms Morris.

"Over 83% of Victorians support voluntary assisted dying and I think that number would only be higher for those who have watched loved ones go through drawn out, painful and debilitating deaths. These proposed changes are sensible and reflect common sense."

The VAD scheme has been operational in Victoria for five years, during which time all mainland Australian states and the Australian Capital Territory have passed laws enabling VAD, making Victoria's laws now among the most restrictive in the country.

The Victorian law mandated a five-year review of its operations but does not consider changes to the legislation, which Ms Morris says is a "missed opportunity".

"We have a chance to fix many challenges of VAD including one that denies individuals diagnosed with dementia access to VAD. There is overwhelming public demand for these individuals, whilst of sound mind, to be able to document their wishes in an Advance Care Directive. This would be enacted at a time when their condition deteriorates and they are no longer deemed competent," she said.

General Practitioner and DWDV board member Dr Nick Carr stated "I regularly see patients who would benefit from exploring all end-of-life options, but due to the 'gag clause' I'm unable to even mention VAD as an option.

"The prognosis requirement is also unnecessarily restrictive, as it's often very difficult to pin-point a timeline for many conditions such as cancers. These reforms need legislative change," he said.

**Media contact:** Michelle Hindson, DWDV, 0414 207 049, [media@dwdv.org.au](mailto:media@dwdv.org.au)

[Link to DWDV submission](#) to the Review of the Operation of Victoria's Voluntary Assisted Dying Act 2017

[dwdv.org.au](http://dwdv.org.au)

**Dying With Dignity Victoria**

Founded in 1974, Dying With Dignity Victoria (DWDV) is a charitable organisation pursuing public policies and laws in the state of Victoria to enhance self-determination and dignity at the end of life. DWDV's purpose is to relieve distress, helplessness and suffering for Victorians with untreatable, painful or terminal illnesses.