

The Senate

Legal and Constitutional Affairs
Legislation Committee

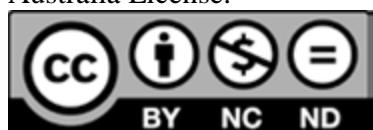
Medical Services (Dying with Dignity)
Exposure Draft Bill 2014

November 2014

© Commonwealth of Australia 2014

ISBN 978-1-76010-111-4

This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Australia License.



The details of this licence are available on the Creative Commons website:
<http://creativecommons.org/licenses/by-nc-nd/3.0/au/>.

This document was produced by the Senate Legal and Constitutional Affairs Committee secretariat and printed by the Senate Printing Unit, Department of the Senate, Parliament House, Canberra.

Members of the committee

Members

Senator the Hon Ian Macdonald (LP, QLD) (Chair)

Senator Jacinta Collins (ALP, VIC) (from 1 July 2014) (Deputy Chair from 10 July 2014)

Senator Catryna Bilyk (ALP, TAS) (from 1 July 2014)

Senator Barry O'Sullivan (NATS, QLD) (from 1 July 2014)

Senator Linda Reynolds (LP, WA) (from 1 July 2014)

Senator Penny Wright (AG, SA)

Former Members

Senator the Hon Lisa Singh (ALP, TAS) (Deputy Chair until 30 June 2014)

Senator Sue Boyce (LP, QLD) (until 30 June 2014)

Senator Gavin Marshall (ALP, VIC) (until 30 June 2014)

Senator Zed Seselja (LP, ACT) (until 30 June 2014)

Substitute Members

Senator Chris Ketter (ALP, QLD) (Deputy Inquiry Chair) to replace Senator Jacinta Collins (ALP, VIC)

Senator Richard Di Natale (AG, NT) to replace Senator Penny Wright (AG, SA)

Senator Nova Peris OAM (ALP, NT) to replace Senator Catryna Bilyk (ALP, TAS)

Secretariat

Ms Sophie Dunstone, Committee Secretary

Ms Sandra Kennedy, Principal Research Officer

Patrick Wall, Parliamentary Graduate

Mr Simon Jones, Administrative Officer

Ms Jo-Anne Holmes, Administrative Officer

Suite S1.61

Telephone: (02) 6277 3560

Parliament House

Fax: (02) 6277 5794

CANBERRA ACT 2600

Email: legcon.sen@aph.gov.au

Table of Contents

Members of the committee	iii
Chapter 1	
Introduction	1
The referral	1
Background.....	1
Conduct of the inquiry.....	2
Acknowledgment.....	2
Note on references	3
Structure of the report.....	3
Chapter 2.....	
Responses to the Bill.....	5
Support for reform.....	5
The role of the doctor	6
The slippery slope.....	7
The role of palliative care.....	10
Public opinion.....	12
Chapter 3.....	
Constitutionality of the Bill.....	15
The constitutionality of the Bill.....	15
Chapter 4.....	
Comments on the provisions of the Bill.....	27
Definitions and language used in the Bill	27
The adequacy of safeguards in the Bill	34

Chapter 5

Committee comment and recommendation	39
Appendix 1 - Public submissions	41
Appendix 2 - Public hearings and witnesses.....	49
Appendix 3 - Example of pro forma submission questions	51
Appendix 4 - Additional information and answers questions taken on notice	53