

Voluntary Assisted Dying in South Australia

Quarterly Report | 1 July to 30 September 2023

Message from the Presiding Member of the Voluntary Assisted Dying Review Board

On behalf of the Voluntary Assisted Dying Review Board, I am pleased to present the third quarterly report on voluntary assisted dying in South Australia covering the period 1 July to 30 September 2023. This report follows the release of the first annual report of the Voluntary Assisted Dying Review Board tabled in the South Australian Parliament on 16 November 2023.

On Friday 17 November I was privileged to attend the SA Health Awards. Helen Chalmers, Executive Director Health Services Programs, DHW accepted the Premiers Award for Excellence in Health for the Voluntary Assisted Dying program along with 10 other members of the VAD community including Dr Chloe Furst, VAD Clinical Advisor; Dr Carolyn Lawlor Smith, General Practitioner; Adam Monkhouse, Director End of Life Care; Kate Swetenham, Director of Nursing End of Life Care; Lauren Cortis, Lead Pharmacist SA VAD Pharmacy; Emily Pampa, Nursing Director SA VAD Care Navigator Service; Joyce White, NALHN VAD Liaison, Varo, Manager VAD Operations; Anji Hill, Manager VAD Review Board Secretariat and myself.

This award recognises the exceptional work of the many doctors, nurses, allied health staff, pharmacists, departmental staff and community organisations including VADSA who have come together to introduce safe, accessible and compassionate voluntary assisted dying in South Australia. At the event Helen Chalmers particularly acknowledged Adam Monkhouse and Kate Swetenham for their remarkable contribution since the voluntary assisted dying legislation passed the South Australian Parliament in 2021.

It was also my great pleasure to be invited to speak at the Annual VADSA Community forum on 5 November at which VADSA celebrated a remarkable 40 years of advocacy for voluntary assisted dying in SA.

During this quarter I had the privilege of attending the first national Voluntary Assisted Dying conference hosted by VADANZ and Go Gently at the University of Technology in Sydney NSW. The conference provided attendees with the opportunity to hear about the transformative impact of voluntary assisted dying legislation in various stages of operation and implementation across Australia and New Zealand.

The opportunity to connect face to face with the many people working in voluntary assisted dying across Australia and New Zealand was a highlight. It was clear to see the commitment to ongoing collaboration across jurisdictions and organisations to support continuous improvement of voluntary assisted dying for patients and their families. Significantly, in November of this year every state in Australia will have a voluntary assisted dying programme with ACT and NT in the preparation stage.

The Board once again extends sincere gratitude to all those who continue to play a vital role in operation of voluntary assisted dying in South Australia. Your contributions are instrumental in shaping end of life care in South Australia.



ASSOCIATE PROFESSOR MELANIE TURNER

Presiding Member

On behalf of the Voluntary Assisted Dying Review Board

Feedback from patients, families, and the community

Participating Medical practitioners, Pharmacists, Care Navigators and Voluntary Assisted Dying Liaison Officers continue to provide essential support to patients and families every day, ensuring that people have access to all the information and support they need to make informed decisions about their end of life care.

Feedback received from patients and families continues to demonstrate the quality of service provision and support being provided:

'Without the beautiful caring support of the SAVAD-Care Navigator Service we could never have navigated the system, thank you for helping us through every step of the pathway'

'The VAD medical practitioner was one of the most compassionate doctors I have ever met. It was an emotional process, but I felt well supported throughout.'

'We are grateful that this option was available to mum. She was so bright the morning of her death knowing her suffering would end. This made her last day a time with her family in good spirits (in the circumstances)'

'The staff at St Andrews and Modbury Palliative Care were exceptional. Our family is immensely grateful that a traumatic event was able to be dealt with, with such dignity and gentleness'

'Our family was blessed to witness a gentle death and the opportunity for much love shared for our dying darling between us all. Never forgotten experience. Tremendously emotional'

News and updates on voluntary assisted dying

Access to witnesses for written declarations

A person accessing voluntary assisted dying must make a written declaration requesting access to voluntary assisted dying in the presence of their coordinating medical practitioner and two eligible witnesses. Section 53 of the *Voluntary Assisted Dying Act 2021* outlines a range of criteria required to be met to ensure witnesses are eligible to take on the role without risk of coercion or influence. The Review Board recently requested the establishment of a register of eligible and available witnesses to provide support for people accessing voluntary assisted dying who are unable to identify a suitable witness.

In collaboration with VADSA, SA Health has now established a witness register to support volunteers to undertake this role. Community members in the pool of volunteers are trained, have a current National Police Check and sign a confidentiality agreement with SA Health. The [SAVAD Care Navigator Service](#) can link people to witnesses on the register and can be contacted by phone at **0403 087 390** or via email Health.VADCareNavigators@sa.gov.au. We thank VADSA for their role in facilitating access to suitable witnesses. We will also work with local Justice of the Peace associations to broaden the pool of trained volunteers who are able to participate in witnessing written declarations.

The role of the contact person

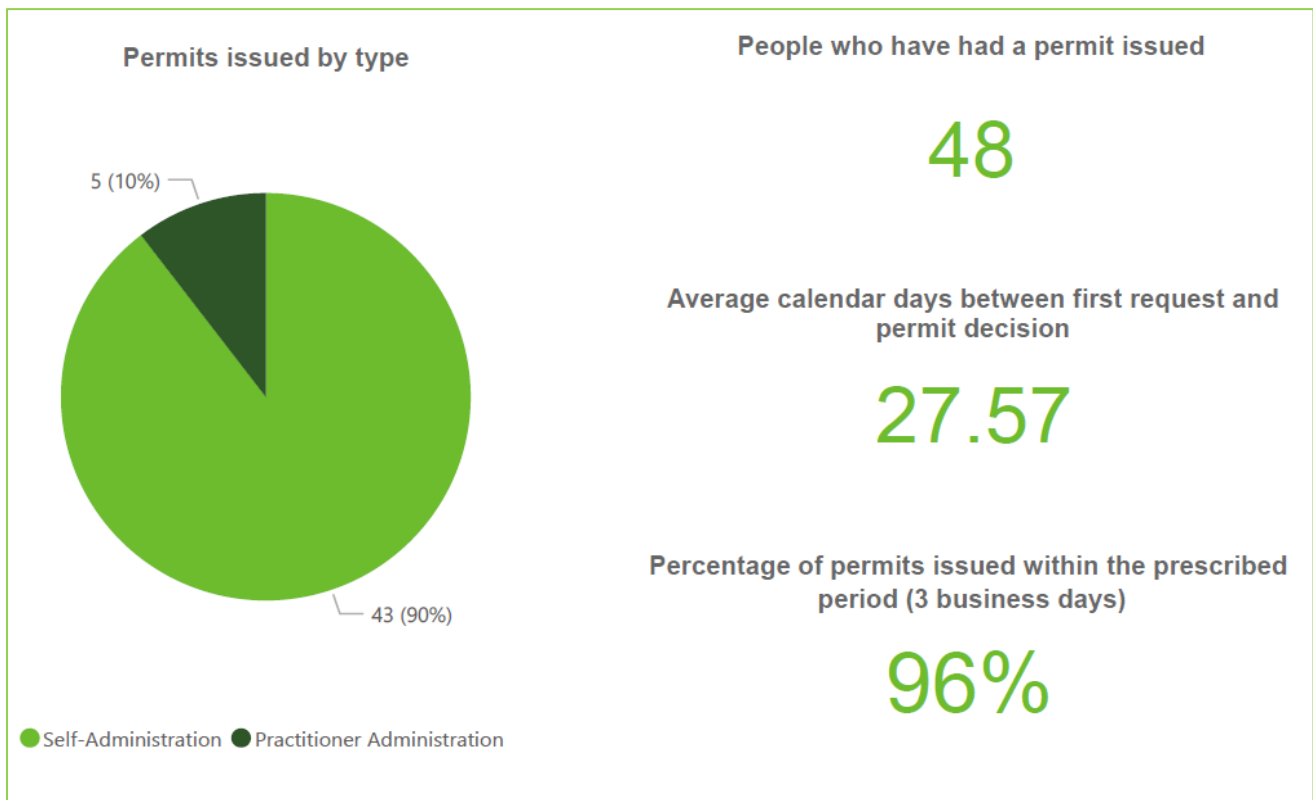
South Australia's voluntary assisted dying legislation includes multiple safeguards to ensure voluntary assisted dying can only be accessed by people who are eligible, providing one of the safest voluntary assisted dying pathways in the world. The role of the contact person outlined under section 57 and 58 of the *Voluntary Assisted Dying Act 2021* is a significant safeguard in ensuring the VAD medication is handled safely in the community. Consistent with the principles of the Act it is the patient's choice who they nominate for their contact person. A person must choose to accept the role of the contact person and sign a contact person appointment form in front of the person seeking to access VAD and an independent witness.

On supply of the voluntary assisted dying substance to the patient the SAVAD Pharmacy Service provide face to face education to the patient and contact person, including providing written information and education on the responsibilities of the contact person. This includes the responsibility of the contact person to return any unused or remaining substance to the SAVAD Pharmacy within 15 days of a person's death from voluntary assisted dying. In South Australia, in all instances to date, the unused voluntary assisted dying substance has been returned to the SAVAD Pharmacy Service within the required 15 day timeframe.

National VAD conference

The first national Voluntary Assisted Dying Conference was held in Sydney from 27 – 28 September. The conference was hosted by VADANZ the newly established peak body for voluntary assisted dying health professionals working in Australia and New Zealand, and Go Gentle Australia, a national charity established in 2016 that works to promote choice at end of life. At the conference health professionals, policymakers, peak bodies and health advocacy organisations came together to discuss the future of end-of-life care in Australia and New Zealand. Conference attendees discussed a number of priorities for improving voluntary assisted dying in Australia including enabling the use of telehealth for accessing voluntary assisted dying and ensuring appropriate remuneration for medical practitioners.

Voluntary assisted dying permits issued 1 July – 30 September 2023



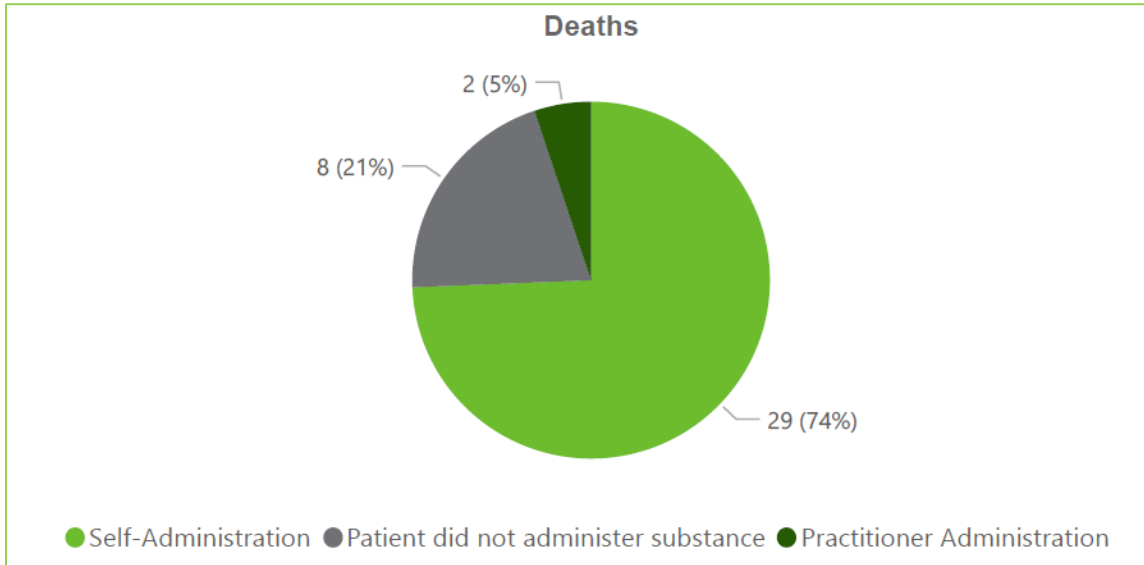
Between 1 July and 30 September 2023:

- A total of 48 people were issued with a voluntary assisted dying permit by the Chief Executive of the Department for Health and Wellbeing (DHW). 43 permits were for self-administration of the voluntary assisted dying substance and 5 were for practitioner administration of the substance.
- On average 28 days elapsed between a person making a first request to access voluntary assisted dying and receiving an outcome regarding an application for a voluntary assisted dying permit.
- 96% of permit applications to the Chief Executive, DHW had a decision made within 3 business days as prescribed under Section 16 of the Voluntary Assisted Dying Regulations 2022.
- Of the two permit applications that were not issued within the prescribed period, further medical and legal advice was required regarding patient eligibility in order to be satisfied that the process was fully compliant with the Act.
- Of these two permit applications, one was approved three hours after the end of the prescribed period, and one which was completed within one hour of the end of the prescribed period, was not approved as the patient did not meet the eligibility criteria under section 26 of the Act.

Deaths

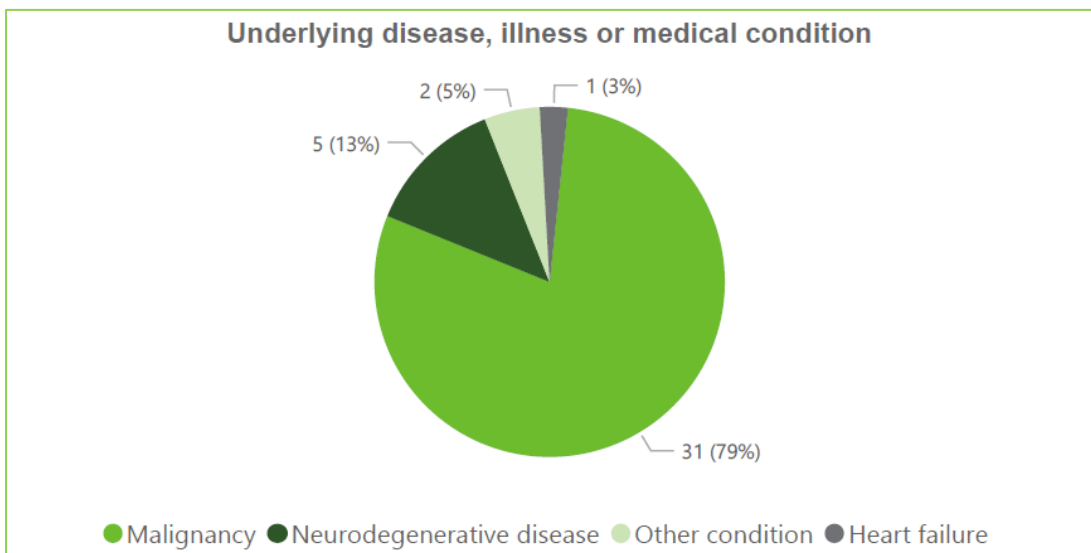
Between 1 July and 30 September 2023, a total of 39 people who were the subject of a voluntary assisted dying permit died. Of these:

- 29 people died as a result of self-administration of the voluntary assisted dying substance
- 2 people died as a result of practitioner administration of the voluntary assisted dying substance
- 8 people died without taking the substance.



Of the 39 people who died who were the subject of a voluntary assisted dying permit between 1 July and 30 September 2023:

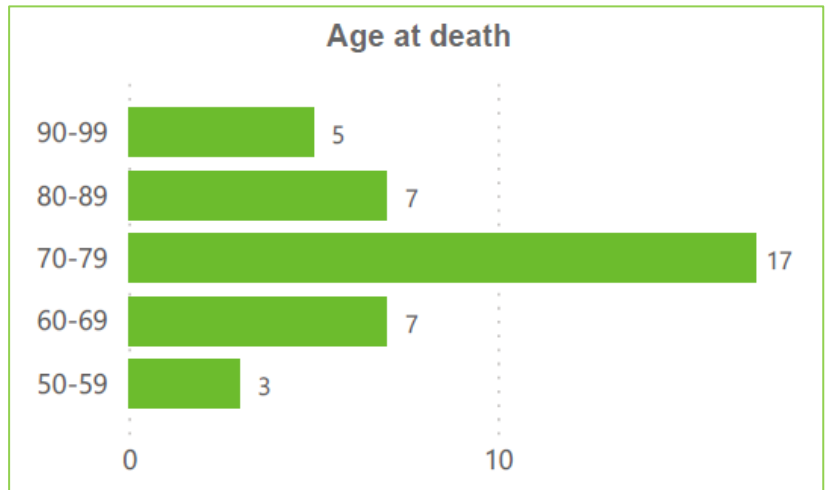
- 31 people had cancer as the disease, illness, or medical condition for which they were eligible for voluntary assisted dying.
- 5 people had a neurodegenerative disease, as the disease illness or medical condition for which they were eligible for voluntary assisted dying.



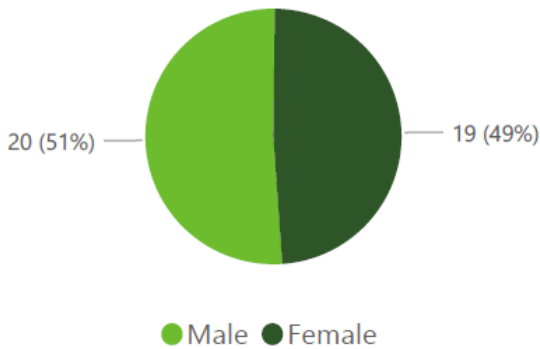
Demographics

Of the 39 people who died who were the subject of a voluntary assisted dying permit between 1 July and 30 September 2023:

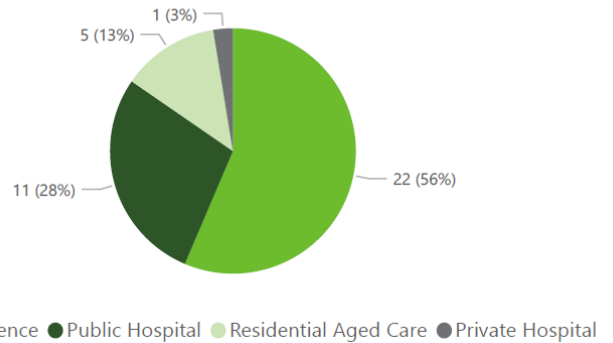
- 29 were aged over 70 years at the time of their death
- 19 were female and 20 were male
- 79 percent lived in metropolitan Adelaide and 21 percent lived in regional South Australia
- 22 died in private residence, 11 died in a public hospital, 5 died in a residential aged care facility and 1 died in a private hospital
- 87 percent were receiving palliative care while accessing voluntary assisted dying.



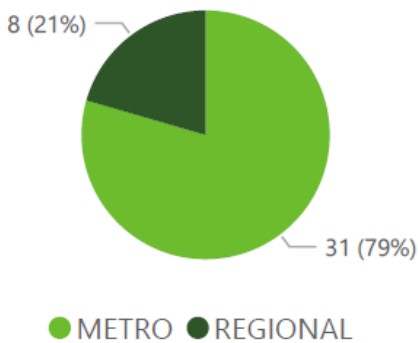
Gender



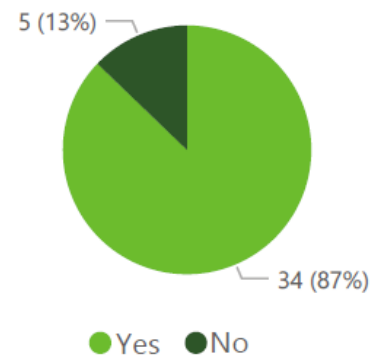
Place of death



Location at death



Receiving palliative care while accessing VAD

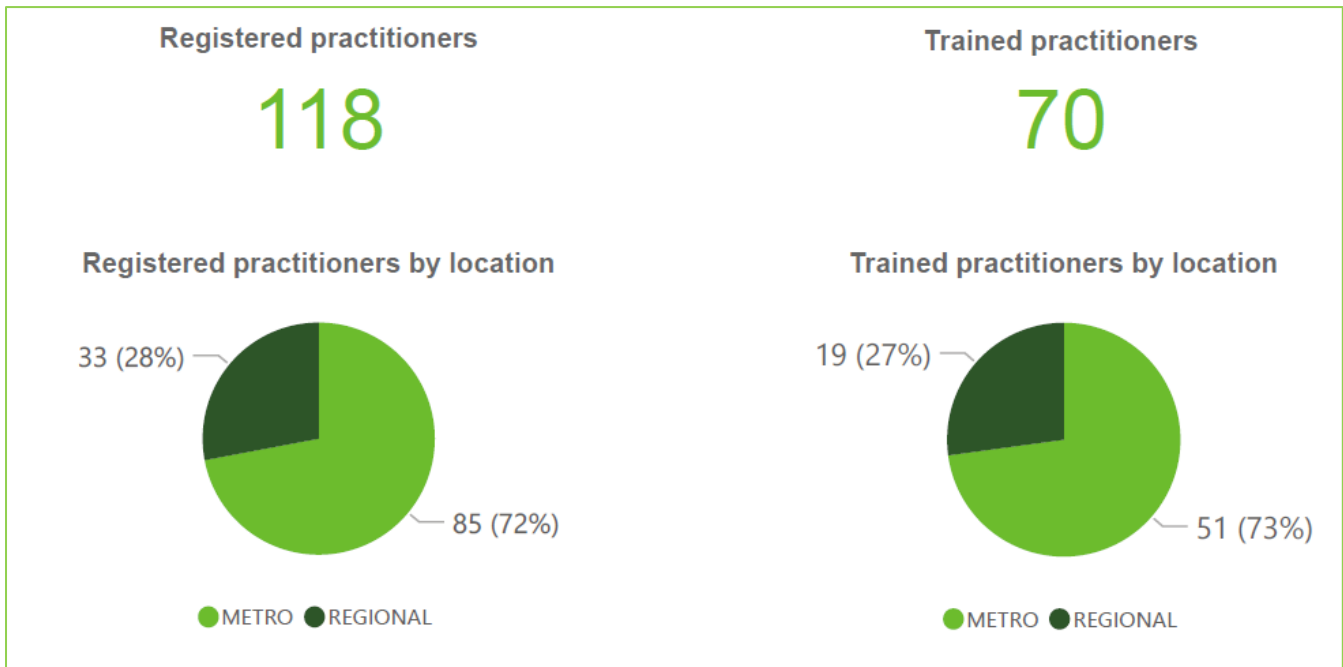


Medical practitioners

Since the commencement of voluntary assisted dying in South Australia a total of 118 medical practitioners have registered to undertake the mandatory practitioner training to be able to deliver voluntary assisted dying. Of these, 72 percent reside in metropolitan Adelaide with the remaining 28 percent in regional South Australia.

Of the 118 practitioners who registered to undertake the mandatory training, 70 have completed the training and are eligible to deliver voluntary assisted dying in South Australia. Of these 73 percent reside in metropolitan Adelaide and 27 percent reside in regional South Australia.

The representation of medical practitioners across metropolitan and regional areas closely reflects South Australia's population distribution with approximately 30 percent of people residing in a regional area.



For the period 1 July – 30 September 2023:

- 37 of the 70 trained medical practitioners accepted a first request from a person seeking access to voluntary assisted dying becoming the Coordinating Practitioner for that person.
- 38 of the 70 trained medical practitioners accepted a referral from a Coordinating Practitioner to be a Consulting Practitioner.

Number of Coordinating Practitioners

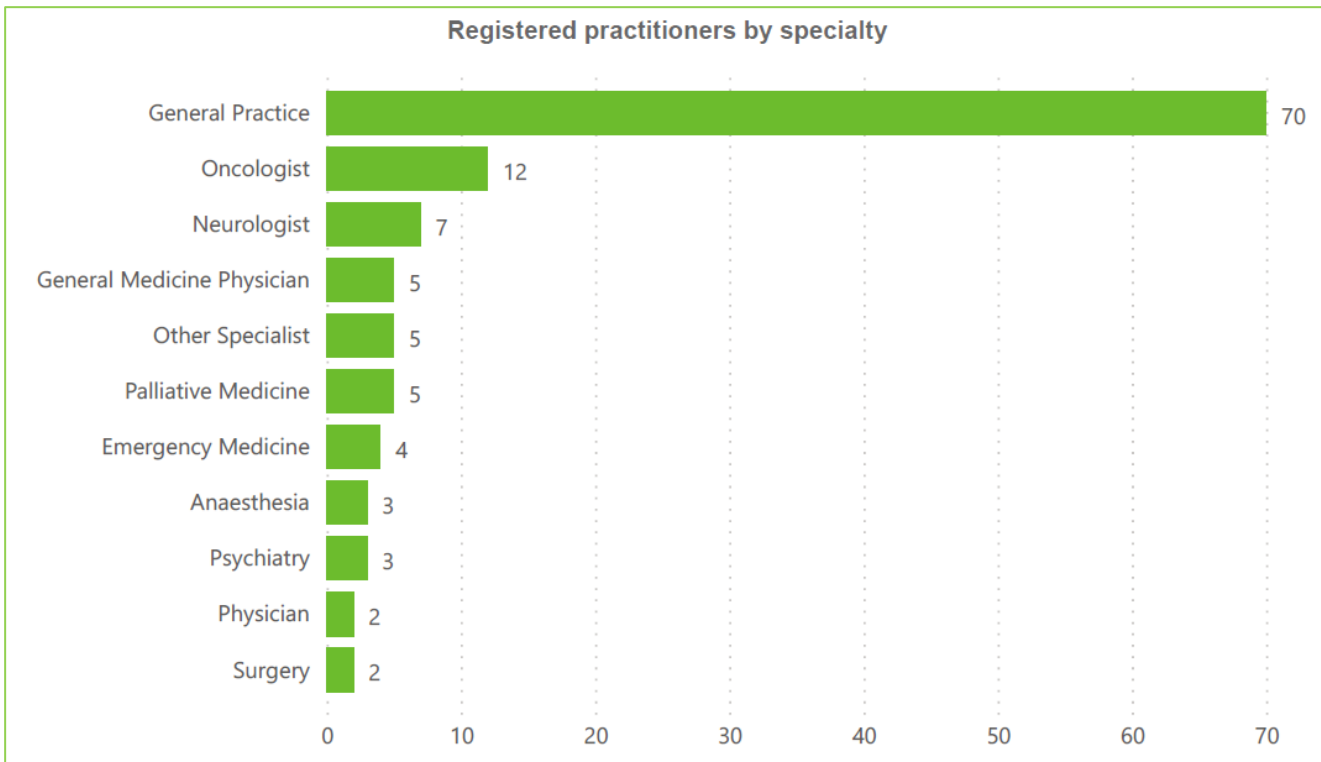
37

Number of Consulting Practitioners

38

Of the 118 medical practitioners who registered to complete the mandatory training to deliver voluntary assisted dying in South Australia, 70 are General Practitioners with the remaining 48 from a range of medical specialties including Oncology, General medicine, Neurology, Palliative medicine, Emergency medicine, Anaesthesia and Psychiatry.

The high representation of General Practitioners reflects the important and valued role that GPs play in end of life care planning for patients living with a life limiting illness.



Feedback

If you would like to provide feedback to the Voluntary Assisted Dying Review Board, please email us at: Health.VADReviewBoard@sa.gov.au.

For more information

Health Services Programs Branch
Department for Health and Wellbeing
Health.VoluntaryAssistedDying@sa.gov.au
[Voluntary Assisted Dying in South Australia | SA Health](#)
 ISSN 2981-8052



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