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Voluntary Assisted Dying (VAD) in the Northern Territory
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The subscribers are all long term members of DWDQ (Dying With Dignity Queensland).

For almost thirty years, DWDQ was actively involved in the campaign to have VAD legalised in Qld. Since VAD became available in Queensland in January 2023, we have regularly organised and delivered information sessions about VAD to the public. Some of the people who attend these information sessions are planning to use VAD. Some are the relatives and friends of those who have used it. Others just would like to know what are end of life options.

We continue to take phone calls and field enquiries regarding end of life options. We are aware of questions and issues that people have regarding VAD.

Our response to the four key questions from the Legislative Assembly of the Northern Territory Parliamentary Inquiry into Voluntary Assisted Dying.

1. Do you support making VAD legal in the NT?

Yes, we strongly support making VAD legal in the NT. VAD is legal in all Australian jurisdictions except the NT. The current situation is inequitable and discriminatory.

2. What eligibility criteria should a person meet before they can access VAD?

We believe that if someone has a terminal illness they should be able to choose when they die.

A person should be eligible for access to VAD if:

- a. The person has been diagnosed with a disease, illness or medical condition that will cause their death. **There should NOT be time stipulated as to when the person is expected to die from their disease or illness, and no requirement for the person to be suffering before they are eligible for VAD.** If a person is dying, they should be eligible for VAD at a time of their choosing.
- b. The person has decision making capacity in relation to voluntary assisted dying, and
- c. The person is acting voluntarily and without coercion, and
- d. They are aged eighteen years or more, with exceptions made on an individual basis.
- e. They have been a resident of Australia for three years. **There should not be a requirement that they be an Australian citizen, or a permanent resident of Australia as stipulated in the Qld VAD Act 2021.** People who have migrated to Australia may have lived here for many years without becoming an Australian citizen or a permanent resident. These people should not be excluded from VAD if they meet other eligibility requirements

There should not be a requirement that the person has lived in the Northern Territory for one year. This requirement was originally introduced to prevent people moving from one jurisdiction where VAD is not available, to another jurisdiction where it is available. Once VAD is available in the Northern Territory, this will not be relevant.

3. How can the NT ensure safe and effective access, including for remote and Aboriginal & Torres Strait Islander people?

We acknowledge the diversity of the population of the Northern Territory, including Aboriginal and Torres Strait Islander people and people from NESB (Non English Speaking Backgrounds).

For safe and effective access, there must be to be:

- consultation with Aboriginal and Torres Straits people who live in remote localities.
- consultation and involvement with health professionals who provide health care to people from NESB
- engagement with entities such as the Northern Territory Dept of Health
- links with justice action groups
- communication with, and education of, remote area health practitioners to ensure that they are knowledgeable about VAD

Restrictions on the use of telecommunication should be removed to allow the medical profession to converse with patients living in remote areas about VAD.

4. How could the NT monitor the process to ensure that VAD is delivered safely and effectively?

VAD laws in some Australian states have been reviewed. The Queensland VAD law is due to be reviewed starting in January 2026. There are significant opportunities to learn from these reviews.

Options for utilising VAD include by injection and oral ingestion of the VAD substance.

In Queensland, once a person has been assessed as eligible for VAD, if they have opted to take the VAD substance orally, it is delivered is delivered to their place of residence in a locked box so that they may take it at a time of their choosing.

The authors of this submission put to the Legislative Assembly of the Northern Territory Parliamentary Inquiry into Voluntary Assisted Dying that the oral VAD substance be delivered by a pharmacist and another health care practitioner on the day that the person has chosen to end their life. The pharmacist would prepare it, oversee its ingestion and then dispose of the equipment appropriately.

The health care practitioner could then complete the death certificate.

Other observations.

At present, a person with dementia cannot access VAD due to the requirement that they be of sound mind. At VAD information sessions hosted by DWDQ, there is almost always a request for people who have been diagnosed with dementia to be eligible for VAD.

Research is currently being undertaken by the Queensland University of Technology about how to safely include dementia in relation to considerations under VAD.

People fear losing their cognitive and physical abilities due to dementia. Many people who have been diagnosed with dementia would be prepared to access VAD while they are still have “decision making capacity in relation to voluntary assisted dying”.

We look forward to the results of this Inquiry and hope that residents of the Northern Territory soon have the same end-of-life choices as other Australians.

Submitted by – in alphabetical order:

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