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**To:** [LA VAD](#)  
**Subject:** VAD  
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1. Do you support making VAD legal in the NT?

Most definitely I do support making VAD legal in the NT.

The NT probably has the longest history of any jurisdiction in Australia in considering a VAD and the longest history of prevarication on the subject. It is well and truly time that this matter be finalised bringing it to a legal option for Territorians as is possible for citizens of all other jurisdictions in Australia.

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

- If a person has been diagnosed with a terminal illness that may reasonably be expected to end their life in within a year. They should be eligible to enter a process around VAD with the same level of priority that they decide between other options including palliative care, continued medical treatment or no treatment at all. This is the respectful thing to do.
- If the person is at the time not competent to make decisions and they have allowed for this option in their Advanced Plan, there should be legal protection for their nominated decision-maker if they act to fulfill this desire within the terms that may be specified in the VAD.

3. How could the NT make sure that an eligible person can access VAD in a safe and effective way, including people living in remote areas and Aboriginal and Torres Strait Islander people?

- This is a question the answer to which I cannot provide a respectful and detailed answer. I can only say that, as with everybody, the process must be person-centred and driven by their own personal and cultural values.
- What I think will be most important is that there is appropriate communication about the absolutely optional nature of VAD and that it is imbedded into respect for individual choice informed by whatever cultural norms/values are in place for that person. I am not certain that this is well understood by government or the population at large and the process around acting on Advanced Plans needs to be worked through. Advance planning in the NT is well legislated but it was introduced in a whimper and a hope for the best process. Inaction on the application of Advance Planning needs to be corrected now, not some indeterminate time in the future. I hope I am wrong but I do think that Advance Planning is not well understood, not acted on by many people and the protections it promises

are vague without the correct social infrastructure.

- In regard to VAD this infrastructure should address how people access trusted medical diagnosis if it can't be found at a local clinic, the correct and informed cultural supports are in place for the support of applications for VAD approval. And that there is legislation to support and protect family members who may be involved in the process.
- Because of the extremely optional nature of VAD I don't believe anything that I have already mentioned should be used as a reason to delay. VAD's implementation for particular groups or for particular places should be informed by and respond to local concerns and opinions in developing the correct infrastructure. The option could be made available broadly much more quickly.

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

- Firstly I think there needs to be a well understood and articulated understanding of what "safety" means in the context of VAD and what "effectiveness" means in the context of VAD. Part of that safety probably needs to be addressed, as mentioned above, in doing work on the decision-making and protections inherent in Advanced Plan implementation.
- Secondly, given that the number of people accessing VAD is likely to be relatively small, collection of individual case studies may be a good way to obtain useful information to begin finding the way into understanding what constitutes effectiveness in this context. I'm sure there must be some data from other jurisdictions that would give pointers to understanding the concept of effectiveness from a personal and a population point of view.

Thankyou for the opportunity to add some thoughts to your deliberation

Darryl Butler

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*Darryl Butler*

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