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| Voluntary assisted dying in Victoria |
| The role of interpreters |

## Introduction

The *Voluntary Assisted Dying Act 2017* (the Act) came into effect on 19 June 2019. Victorians who meet strict eligibility criteria can now ask their medical practitioner for access to medication to bring about their death at a time that they choose. This factsheet summarises key elements of the Act and what it means for interpreters.

## Eligibility criteria for voluntary assisted dying

To be eligible to access voluntary assisted dying in Victoria, a person must meet all of the following eligibility criteria:

* be aged 18 years or more;
* be an Australian citizen or permanent resident;
* be ordinarily resident in Victoria;
* have been ordinarily resident in Victoria for at least 12 months at the time of making a first request;
* have decision-making capacity in relation to voluntary assisted dying;
* be diagnosed with a disease, illness or medical condition that is:
  + incurable;
  + advanced, progressive and will cause death;
  + expected to cause death within weeks or months, not exceeding 6 months (or not exceeding 12 months if a person is diagnosed with a neurodegenerative disease, illness or medical condition); and
  + causing suffering to the person that cannot be relieved in a manner that they consider tolerable.

## Request and assessment process for voluntary assisted dying

A person must make three separate requests to access voluntary assisted dying—two oral requests, and one written request (called the written declaration). All three requests must be made to the same medical practitioner, called the person’s ‘coordinating medical practitioner’. The person must also have their eligibility for voluntary assisted dying assessed by two medical practitioners (the coordinating medical practitioner and a consulting medical practitioner).

A person assessed as eligible to access voluntary assisted dying must appoint a contact person after making their final oral request. It is the contact person’s responsibility to return any unused voluntary assisted dying medication after the person dies.

Once the eligible person has made three requests and appointed their contact person, the coordinating medical practitioner applies to the Department of Health and Human Services for a permit to prescribe the voluntary assisted dying medication. There are two types of permit that may be issued:

* a self-administration permit for people who are physically able to self-administer and digest the medication; or
* a practitioner-administration permit for people who are not physically able to self-administer or digest the medication.

It is anticipated that most people who access voluntary assisted dying will self-administer the voluntary assisted dying medication. The medication will be dispensed directly to the person (unless it will be practitioner-administered), by the voluntary assisted dying statewide pharmacy service. A pharmacist from the service will also provide the person with detailed information and instructions about how to take the medication.

## How might interpreters be involved in the voluntary assisted dying process?

Interpreters can choose whether or not to assist a person to request access to voluntary assisted dying, or a person going through the voluntary assisted dying process. There is no obligation to participate.

Under the Act, interpreters who assist a person in relation to requesting information about or access to voluntary assisted dying, must be certified by NAATI. Interpreters must not:

* be a family member of the person; or
* believe or know that they are a beneficiary under the person’s will or will otherwise benefit financially or in any other material way from the person’s death; or
* be an owner of, or responsible for the day-to-day management and operation of, any health facility at which the person is being treated or resides; or
* be directly involved in providing health services or professional care services to the person.

Interpreting for a person in relation to voluntary assisted dying must always occur face to face. Phone interpreting is not an option for these types of discussions. Interpreters may be asked to assist a person in relation to accessing voluntary assisted dying at several points in the process, including:

* when the person makes their first request to access voluntary assisted dying;
  + It is important to be aware that health practitioners cannot initiate a discussion about voluntary assisted dying with a person in their care, or suggest voluntary assisted dying to them. This means that the person themselves needs to start the conversation about voluntary assisted dying with their medical practitioner and that they need to be clear and unambiguous about what they are asking about or for.
* when the person attends medical appointments to have their eligibility for voluntary assisted dying assessed;
* when the person completes their written declaration and the appointment of contact person form;
  + If assisting a person to complete either of these forms, the interpreter must certify on the form that they provided a true and correct translation of any material translated.
  + The coordinating medical practitioner will submit these forms to the Voluntary Assisted Dying Review Board, which is responsible for monitoring and oversight of voluntary assisted dying in Victoria.
* when a pharmacist visits the person to provide them with information and instructions about taking the voluntary assisted dying medication; and
* where the medication will be practitioner-administered, an interpreter may be required to assist the person to make a request to their co-ordinating medical practitioner to administer the medication (administration request).

## What resources have been developed to support people from culturally and linguistically diverse backgrounds?

A range of community and consumer information has been developed, including general community information about voluntary assisted dying and also more detailed information for people considering voluntary assisted dying, which provides guidance for people at each stage of the process.

Community information about voluntary assisted dying is available in a number of community languages in Victoria.

A high-level overview of the *Voluntary Assisted Dying Act 2017* is available in the following languages and ‘Easy English’:

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| Amharic | Italian |
| Arabic | Karen |
| Chinese (Simplified) | Macedonian |
| Chinese (Traditional) | Punjabi |
| Dari | Sinhalese |
| Farsi | Somali |
| Greek | Turkish |
| Hebrew | Vietnamese |
| Hindi |  |

Community FAQs about voluntary assisted dying and bilingual glossaries of terms relating to voluntary assisted dying are available in the following languages:

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| Arabic | Italian |
| Chinese (Simplified) | Punjabi |
| Chinese (Traditional) | Sinhalese |
| Greek | Spanish |
| Hindi | Vietnamese |

These translated materials can be found by searching “voluntary assisted dying” on <http://healthtranslations.vic.gov.au/>. Additional materials may be translated as required.

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