

3 April 2017

Professor Brian Owler
Chair of Ministerial Advisory Panel
Email: Assisteddying.frameworkresponses@dhhs.vic.gov.au

Re ECCV Response to Victorian Government Discussion Paper on the proposed Voluntary Assisted Dying Bill

Dear Professor Brian Owler

The [Ethnic Communities' Council of Victoria \(ECCV\)](#), is the peak policy advocacy body for ethnic and multicultural communities and its organisations in Victoria and the *Voice of Multicultural Victoria*. For over 40 years we have been the link between multicultural communities, government, and the wider community.

ECCV thanks the Victorian Government for the opportunity to respond to its *Voluntary Assisted Dying Bill* discussion paper. ECCV recognises the role of Ministerial Advisory Panel in undertaking consultations to inform its advice to Government. ECCV notes the Victorian's Government's end of life and palliative care framework and we are pleased to be represented at Victoria's end of life and palliative care framework Implementation advisory group. ECCV does not have legal expertise in this area. However, given our previous consultations on issues related to advance and palliative care, we would like to make the following general comments (See [findings](#) from the ECCV advance care planning consumer project)

Community feedback

Earlier this year the ECCV wrote to its members and constituents to express their views on:

- the Victorian government's reforms in end of life care particularly with regards to introducing legislation on voluntary assisted dying;
- key considerations when developing and implementing a legislative framework on voluntary assisted dying;
- cultural, rights-based, and ethical considerations;
- any further issues they wanted to raise.

ECCV has noted a low numbers of engagement and responses by organisations in commenting on some of these issues and the diversity of individual opinions and very personal views expressed on these issues. ECCV community feedback indicates the lack of awareness of culturally, linguistically, and religiously diverse people and communities about the Victorian government's reforms in end of life care and its expected impact on vulnerable culturally, linguistically, religiously people and groups.

Key messages

ECCV emphasises the need to engage, inform, and educate people from culturally, linguistically, and religiously diverse backgrounds on and to seek their further feedback on

1. Considerations and varying notions relating to assisted dying.
2. Implications of the assisted dying legislation for culturally diverse people, families, and groups.
3. Protecting people from the danger of abuse or misuse including where there is a fear of coercion, elder abuse, and an inability to communicate confidently in English.
4. Legal protections and care practices intended to protect vulnerable culturally diverse people and groups (in the context of point 3).
5. Ensuring stringent practices and safeguards when people from culturally diverse backgrounds express their 'last wishes'.

Recommendation 1

ECCV recommends educating and informing culturally diverse people and groups and to seek their further feedback on end of life issues and care.

ECCV considerations on quality of life issues in end of life situations

The ECCV has been working on outlining some key considerations on issues related to end of life care in multicultural communities with a view to informing Victorian government policies, public health responses, and health care practices.

These include considerations on:

- a. human rights;
- b. vulnerability;
- c. diversity of views;
- d. implementing policies;
- e. decision-making;
- f. education in advance care planning;
- g. culturally appropriate service responses;
- h. protecting of vulnerable people.

a. Human rights

ECCV notes the Victorian Charter of Human Rights and Responsibilities Act 2006, Part 2, Human Rights Section 9, Right to Life, which states 'every person has the right to life and has the right not to be arbitrarily deprived of life'.

ECCV notes section 14 of the Charter of Human Rights and Responsibilities that every person has the right to freedom of thought, conscience, religion and belief.

b. Vulnerability

ECCV notes that culturally diverse people are often very vulnerable in the context of end of life care due to issues with communicating in English, experiencing social isolation and issues of elder abuse.

c. Diversity of views

ECCV states that its constituents have varying views on 'end of life' issues.

ECCV affirms that each and every individual has with them their unique set of values, morals, and beliefs which will undeniably inform their personal choices and decisions.

ECCV upholds people's rights associated with their diversity and as expressed in indigenous, ethnic, cultural, linguistic, socio-economic diversity; religious, faith, and spiritual diversity; sexual orientation and gender diversity; political views; and age-related diversity.

d. Implementing policies

ECCV advocates that implementation of policies and programs in end of life care are based on respect for the person's values and beliefs; ethical standards; inclusiveness in the design of policy and programs and support for people to exercise their independent choice and control.

e. Decision making

ECCV further advocates to enable culturally diverse individuals to exercise control and make choices, to the best of their capabilities, in the context of end of life planning, care, and in supporting people's decision making process.

ECCV highlights that no person has the right to persuade or coerce another person into making any choice or decision, and in such circumstances where this may occur or to be perceived to occur the matter should be reported to the Office of the Public Advocate.

ECCV is aware of the low rate of decision making and advance care planning amongst culturally diverse people and families.

f. Education in advance care planning

ECCV states that advance care planning is often not a well-known concept amongst culturally diverse individuals, carers, groups, families, and communities.

ECCV advocates for increasing engagement with individuals, carers, families from culturally diverse communities to increase their understanding and awareness of the concept of advance care planning.

ECCV advocates for community education on advance care planning to culturally diverse people, groups, and organisations to help people understand the concepts and implications of advance care planning and support informed decision making.

ECCV further advocates to strengthen community initiatives and capacity in ethno-specific, multicultural, faith-based organisations and community organisations more widely, and in local government to help inform people about issues related to advance care planning and when seeking support.

Recommendation 2

ECCV recommends increasing engagement with individuals, carers, families from culturally diverse communities to increase their understanding and awareness of the concept of advance care planning.

g. Culturally appropriate service responses

ECCV advocates for simple English and translated versions of guidelines, information, and support services related to advance care planning, including bi-lingual and simple English advance care planning document templates. ECCV acknowledges existing good practice in translating to ensure accurateness, quality and cultural appropriateness of translations.

ECCV notes that good translating practices includes both information in-language and in English, subject expert assessment of the English text; culturally appropriate information; checking translations with community groups and native speakers.

ECCV advocates for an increase in culturally specific and bilingual support services in the context of public health responses in end of life planning and care and in supporting people to make informed decisions.

ECCV advocates for improving access for culturally, linguistically, and religiously diverse people to high quality palliative care including support for people and families to access palliative care in their homes.

Recommendation 3

ECCV recommends providing information on end of life related issues in languages other than English and in simple English.

h. Protecting of vulnerable people

ECCV advocates for increasing engagement with culturally, linguistically, and religiously diverse people and organisations with a view to help protect the rights of vulnerable people and groups and ensure people can communicate their wishes and exercise control and free from abuse.

Concluding comments

In conclusion, ECCV reiterates the need to consider measures and practices that protect vulnerable people and groups from culturally, linguistically, and religiously diverse people in the context of assisted dying legislation and its implications.

ECCV thanks the Victorian Department of Health for its ongoing work in ensuring equitable access of people from culturally, linguistically, religiously diverse people in health care and as people age and we look forward to continuing this partnership.

For further information and clarification, please contact ECCV on eccv@eccv.org.au and 9354 9555.



Eddie Micallef
Chairperson