



STUART GRIMLEY MP

Member for Western Victoria
State Leader of Derryn Hinch's Justice Party

MEDIA RELEASE



Grimley Shares Concern about Voluntary Assisted Dying being Unlawful via Telehealth

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State Leader of Derryn Hinch's Justice Party Stuart Grimley has shared concerns with the Health Minister that the Voluntary Assisted Dying Scheme may be illegal when conducted via telehealth.

In Parliament this week, Mr Grimley asked the Minister to confirm "that Victorian medical professionals will not be prosecuted for providing the Voluntary Assisted Dying service via telehealth."

The [Federal Criminal Code](#) states you can't use an electronic carriage service to "directly or indirectly counsel or incite" someone to end their life.

As a result, medical practitioners have admitted to violating the Federal Criminal Code by taking telehealth appointments with patients who want to access VAD and are now calling

Despite this being a longstanding issue for those with limited access to specialists in regional areas, the COVID-19 crisis has exacerbated the issue of patients only being able to access medical appointments via telehealth.

In 2019, medical practitioners that are trained to provide VAD care were contacted by the VAD Review Board and advised that they were not allowed to provide *any* aspect of VAD care via a carriage service. This meant all consultations had to be face to face.

It is understood Minister Foley wrote to his Federal counterpart Greg Hunt MP to seek legal clarification on the conflict between the State and Federal Acts.

Mr Grimley and Dying With Dignity Victoria are now seeking information to ensure Victorian medical professionals will not be prosecuted for providing VAD services.

The VAD Board review (July 2020-Dec 2020) is due to be tabled in Parliament in the near future.

Quotes Attributable to Stuart Grimley MP:

"Patients that access VAD are suffering incurable diseases and want to end their life with dignity and this threat of conviction may reduce the accessibility of VAD consulting doctors.

Given the strict criteria and training VAD doctors have to go through, the last thing they should be subject to is the threat of a Commonwealth conviction.

Appointments via zoom, and other video call services, is a part of our "COVID-normal" now. The Government must make it clear that there are protections for medical practitioners who use these methods to consult VAD patients. They need to establish that voluntary assisted dying is not suicide for the purposes of the Criminal Code.

Derryn Hinch's Justice Party have been strong supporters of Dying with Dignity since its inception."

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