

Media Release - 9 June 2009

Peak Body Welcomes WA Government's Living Wills Announcement

The President of Palliative Care WA Inc, Dr Scott Blackwell, today welcomed the WA Government's announcement that legislation will be implemented in the next three months which permits West Australians to specify the medical treatment they want, or do not want, at the end of life. The Minister for Health, Dr Kim Hames MLA, made the announcement today.

"People, especially those approaching the end of life, want some control over the care they receive, even if they are not able to speak for themselves. The Consent to Medical Treatment Act 2008 goes some way towards assuring they have this control. It was passed by the WA Parliament nearly 12 months ago after many years of work, and people all over the state have been eagerly awaiting this announcement," said Dr Blackwell.

Palliative Care WA Inc endorses this legislation for three main reasons. The Act:

- allows Western Australians to appoint substitute healthcare decision-makers and complete advance health directives (living wills) which take effect when they cannot speak for themselves
- protects doctors who make reasonable decisions to cease futile treatments which may cause unwarranted distress to dying people, and who provide emergency treatment for people if it contravenes information in a living will that is not available at the time
- allows for the recognition of advance health directives and appointments of substitute decision-makers made under the laws of other states and territories.

Dr Blackwell also said: "We hope the Department of Health and the Office of the Public Advocate, who will have responsibility for this legislation, consult a wide range of people, including consumers, about the best way to implement it and ensure the paperwork is useable. It would also be helpful to know the formal enactment date and details of the registry that is part of this new law."

Palliative Care WA Inc recently adopted a Position Statement on Advance Care Planning in Western Australia, which is available at www.palliativecarewa.asn.au/policy.php. The Statement points out that advance directives legislation should sit within a comprehensive program of advance care planning which promotes systemic and cultural change within the entire health system, and informed discussion about death, dying and bereavement in the broader community.

Palliative Care WA Inc is the peak body representing all Western Australians who seek to secure better care and support for people dealing with the problems of dying, death and bereavement.

Dr Blackwell is available for interview on 0409 296 249.