

Assisted dying or euthanasia

Euthanasia is a term about which there is considerable ambiguity and confusion.

The term 'euthanasia', sometimes referred to as 'assisted dying,' means **any act or omission provided at a person's request which is intended to cause death with a view to eliminate suffering**. Examples of assisted dying or euthanasia include:

- i) Administering deliberate overdoses of otherwise appropriate medications; and
- ii) Unjustified withholding or withdrawal of life-sustaining measures.

Euthanasia or assisted dying is illegal in NSW under the *Crimes Act 1900 (NSW)*.

There is ongoing concern in the community and among some health professionals about what is, or is not, assisted dying (or euthanasia). The law in NSW specifies that it is unlawful to aid or abet the suicide or attempted suicide of another person.

However, this **does not** include:

- Giving doses of necessary pain relief, including opioids, commensurate with a person's clinical need. Good pain management in skilled hands neither underdoses nor overdoses the patient;
- Complying with a competent patient's refusal of treatment; and/or
- Withholding or withdrawing life-sustaining treatments that are no longer effective or do not benefit the patient.

Note: Advance care directives or plans can only direct families and health professionals to make a preferred choice between courses of treatment that are both medically and legally defensible.

References:

- NSW Ministry of Health- *Guidelines: End of Life Care and Decision Making* (March 2005) http://www0.health.nsw.gov.au/policies/gl/2005/pdf/GL2005_057.pdf
- NSW Ministry of Health- *Advance Planning for Quality Care at End of Life: Action Plan 2013-2018* (July 2013) <http://www.health.nsw.gov.au/patients/acp/Publications/acp-plan-2013-2018.pdf>
- Australian and New Zealand Society of Palliative Medicine- *Position Statement: The practice of euthanasia and assisted suicide*(October 2013) <http://www.anzspm.org.au/c/anzspm?a=da&did=1005077>