

31 May 2019

Mr Malcolm McCusker AC, CVO, QC  
Chair  
Ministerial Expert Panel  
Department of Health  
189 Royal Street  
EAST PERTH WA 6004

By email: [VADconsultations@health.wa.gov.au](mailto:VADconsultations@health.wa.gov.au)

Dear Mr McCusker

**MINISTERIAL EXPERT PANEL ON VOLUNTARY ASSISTED DYING – DEATH CERTIFICATION**

The Law Society of Western Australia is grateful for the opportunity to contribute to the submissions considered by the Ministerial Expert Panel (the MEP) on Voluntary Assisted Dying (VAD) in relation to the issue of death certification.

Representatives of the Law Society attended a Stakeholder Consultation Roundtable Discussion on 18 April 2019. At that meeting, it was suggested that the fact that a death was a VAD death should not be recorded on the death certificate and only the disease, illness or medical condition for which VAD was sought should be recorded.

The Law Society notes the inclusion in Appendix 3 of the MEP Discussion Paper of the Joint Select Committee Voluntary Assisted Dying Legislation Framework where, under "Death Certification" it states: "Where an assisted death takes place it must be noted on death certification documents."

The Law Society understands that concerns have been raised that this may cause distress to family members of the deceased. However, in cases of self-inflicted death or homicide the cause of death is shown as such on the death certificate. The cause of death of VAD should be consistent with that practice and VAD should be shown on the death certificate, as recommended by the Joint Select Committee.

It is in the public interest that a death certificate should record the true cause of death.

Yours sincerely



Greg McIntyre SC  
**President**