

Choosing witnesses to the second request

Voluntary assisted dying

You need to choose two witnesses to be present if you make a second request to access voluntary assisted dying.

The second request must be made in writing.

The purpose of having two witnesses is to provide a safeguard to ensure that:

- your request for voluntary assisted dying is voluntary
- you are not being pressured into accessing voluntary assisted dying by someone else.

Your witnesses to the second request have an important role. You should choose witnesses who you think can handle the responsibility.

Eligibility

Your witnesses to the second request must be 18 years or older.

Your witnesses cannot be a witness if:

- they know or believe they are a beneficiary of your will
- they know or believe they may otherwise benefit financially or in any other way from your death
- they are the owner or manager at a facility where you live or are being treated
- they are your coordinating or consulting doctor.

As long as they are not one of the above, your witnesses can be:

- your partner or spouse

- a family member
- a friend
- a healthcare worker involved in your care
- any person you trust to take on the role.

If you cannot find people to be your witnesses, you can:

- speak to your coordinating doctor who may be able to help you find witnesses
- contact the Queensland Voluntary Assisted Dying Support Service (QVAD-Support) who may be able to help you find witnesses.

You do not need to fill in any forms to appoint someone as your witness. However, you should let your doctor know who is going to act as your witnesses.

Role of the witnesses

Your witnesses to the second request will need to fill in the witness section of the *Second Request Form*. This is the form you complete to make a second request to access voluntary assisted dying. Your coordinating doctor will give you a copy of this form.

You and your witnesses may be given the *How to fill in a Second Request Form* resource, to help you complete the form correctly.

Once completed, this form needs to be given to your doctor to record your second request for voluntary assisted dying.

Your witnesses will need to certify in the form that:

- you signed the request in front of them

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- you appeared to sign the request freely and voluntarily.

Your witnesses must also state in the form that they are not knowingly an ineligible witness (see Eligibility above).

Freely and voluntarily

Your witnesses will need to certify they believe you appeared to sign the form freely and voluntarily. This can include making sure that accessing voluntary assisted dying is your own choice and you are not being pressured by anyone.

If they are concerned you are not signing the request of your own choice, they will raise their concerns with your coordinating doctor and will not sign the *Second Request Form*.

Present during signing

Both your witnesses need to be present when you, or the person signing on your behalf, sign the *Second Request Form*. This must be in person. It cannot be done over the phone, video communication or the internet.

Your witnesses cannot sign the witness section of the form if the other witness is not present.

Ineligible witnesses

Your witnesses must state in the *Second Request Form* that they do not believe themselves to be an ineligible witness. Your witness will be an ineligible witness if they do not meet the eligibility criteria listed above.

If you cannot sign the form yourself

If you cannot sign the form yourself—for example, your condition means you are unable to hold a pen—another person can sign the *Second Request Form* on your

behalf. They may only sign the form at your request and must do so in your presence. This person must be 18 years or older. They cannot be your coordinating or consulting doctor, or one of your witnesses.

If another person signs on your behalf, your witnesses must certify:

- you appeared to freely and voluntarily tell the person signing for you, to sign the *Second Request Form*
- the person signing on your behalf signed the request in front of you and your witnesses.
- Your witnesses must also state in the form that they are not knowingly an ineligible witness (see Eligibility above).

If an interpreter is used

You can use an interpreter to help you make your second request if needed. The role of your witnesses does not change if you use an interpreter.

The interpreter must also sign the *Second Request Form* to certify that they provided a true and correct interpretation and translation.

Change of witness

The people you choose can refuse to be a witness.

They can also change their minds and withdraw from their role as your witness. They should tell you that they no longer want to be the witness, but they do not have to tell you their reasons.

You can also change your mind about who you want to be your witnesses. You should tell them you have changed your mind.

You do not need to fill out any forms to change your witnesses. You will need to find

someone else who meets the eligibility requirements and who agrees to be your witness, if you want to make a second request.

Legal protections

There are specific protections in the *Voluntary Assisted Dying Act 2021* for people who assist a person accessing voluntary assisted dying.

This means your witnesses will not be breaking any laws in Queensland by carrying out their responsibilities as your witnesses to the second request for voluntary assisted dying.

QVAD-Support

QVAD-Support provides advice to all Queenslanders about voluntary assisted dying.

QVAD-Support is run by care coordinators who are medical, nursing, and allied healthcare workers. Your witnesses can contact QVAD-Support if they have any questions about their role as a witness to the second request or voluntary assisted dying.

You can talk to a care coordinator Monday to Friday, 8.30am-4pm.

Phone: 1800 431 371

Email: QVADSupport@health.qld.gov.au

Support services

Different people may need and want different levels of support. Some people may find reading information relating to voluntary assisted dying upsetting. If this content has raised concerns for you or

someone you know, call one of the helplines below for support and counselling:

24/7 crisis services

- Mental Health Access Line call 1300 64 22 55 (24/7)
- Lifeline call 13 11 14 (24/7 – phone, text, online)
- Suicide Call Back Service call 1300 659 467 (24/7 – phone and online)

Support services

- Beyond Blue call 1300 22 4636 (24/7 – phone, online)
- Griefline call 1300 845 745 (6am to midnight AEST, 7 days a week)
- Queensland Transcultural Mental Health Centre call 3317 1234 or 1800 188 189 (outside Brisbane) or 1300 64 22 55 (24/7)
- World Wellness Group (multicultural support) call 1300 079 020
- 13YARN (13 92 76) for Aboriginal and Torres Strait Islander people

For more information and support visit <https://www.qld.gov.au/health/mental-health/help-lines>.



Help in your language

If you need an interpreter, ask your doctor for one. It is free.

For help reading this information call:

- Multicultural Connect Line free hotline number: 1300 079 020
- Interpreter Service (Help with English): 13 QGOV (13 74 68) and ask for an interpreter
- Translating and Interpreting Service: 13 14 50