



## Voluntary assisted dying in Western Australia

# Information for interpreters

### Summary

This information sheet provides an overview of the role of interpreters in the voluntary assisted dying process in Western Australia (WA).

#### Key points include:

- Voluntary assisted dying is intended to be accessible to all eligible Western Australians, including those from culturally and linguistically diverse (CALD) backgrounds and those who require interpreter services.
- The *Voluntary Assisted Dying Act 2019* (the Act) requires that interpreters asked to interpret during the voluntary assisted dying process hold a credential issued under the National Accreditation Authority for Translators and Interpreters (NAATI) certification scheme.
- Interpreters may be needed for in-person and telehealth (e.g. phone call or videoconference) appointments as part of the voluntary assisted dying process.
- An interpreter is not obliged to provide interpreter services for a patient who is accessing voluntary assisted dying.

#### Use of interpreters in the voluntary assisted dying process

Voluntary assisted dying is an option for eligible Western Australians, including those from non-English speaking backgrounds and those who require interpreter services. The eligibility criteria for a person wanting to access voluntary assisted dying are outlined in the information sheet [Accessing voluntary assisted dying in Western Australia – Who is eligible?](#)

Often in medical and health settings another person, such as a family member or friend, will offer to assist with interpretation or translation for a person receiving care. For voluntary assisted dying, this type of assistance is not allowed under the Act. Any person accessing voluntary assisted dying who requires interpreter services must be provided with an interpreter who holds a credential issued under the NAATI certification scheme.

#### Interpreter requirements

In addition to being accredited, Section 162 of the *Voluntary Assisted Dying Act 2019* sets out additional requirements for interpreters. Specifically, an interpreter **must not**:

- be a family member of the patient; or
- know or believe you are a beneficiary under a will of the patient or may benefit financially or in any other material way from the death of the patient; or

- be an owner of, or be responsible for the day-to-day management and operation of the health facility where the patient is being treated or lives; or
- be a person directly involved in providing health services or professional care services to the patient.

### What services will be I be required to provide?

As an interpreter, you may assist a person accessing voluntary assisted dying with:

- the request and assessment process
- completing the Written Declaration
- the process relating to the administration decision and administration itself
- review of a decision by the State Administrative Tribunal.

Further information on the voluntary assisted dying process is available in the information sheet [Accessing voluntary assisted dying in Western Australia – Overview of the process](#). Other useful information can be found in the information sheets [Accessing voluntary assisted dying in Western Australia – Completing the Written Declaration](#) and [Accessing voluntary assisted dying in Western Australia – Review of certain decisions](#).

### Can I provide services over the telephone/telehealth?

Interpretation can be provided by telehealth (e.g. phone or videoconference). However, the preferred mode for each appointment will depend on the topics that are likely to be discussed. The Commonwealth *Criminal Code Act 1995* influences what can and cannot be discussed over a 'carriage service' (in practical terms this usually means phone, fax, email, internet, videoconference etc).

**As a general rule, any information that relates specifically to the act of administering a voluntary assisted dying substance or provides details or instructions about the act of administering a voluntary assisted dying substance must not be discussed or shared by phone, fax, email, videoconference, internet and the like.**

Informing people about the legislation and associated processes in WA (either generic or in relation to a person's circumstances) may be undertaken via a carriage service and is not considered to infringe the Commonwealth Criminal Code to the extent that the information **does not advocate, encourage, incite, promote or teach** about how to undertake **the act of administration of a voluntary assisted dying substance**.

If you agree to provide interpreter services, you can contact the patient's medical practitioner ahead of an appointment. This will allow you to be aware of what the appointment is likely to focus on.

### What details will I be required to provide?

If you agree to provide written or sight translation services to assist a patient with completion of the Written Declaration, you are required to certify on the document that you have provided a true and correct translation of the material.

You will be required to provide your contact and credential details to the Coordinating Practitioner (the medical practitioner who is coordinating the voluntary assisted dying process for the patient). These details will be recorded, where relevant, on the forms the practitioner is required to submit to the Voluntary Assisted Dying Board for each stage of the process that you are involved in.

### Do I have to be involved if I am asked?

No. You are not obliged to provide interpreter services for a patient who is accessing voluntary assisted dying.

Helping someone who is choosing to end their life can be a challenging experience. It may be worthwhile to consider your own feelings and beliefs about the topic beforehand so you can decide if you intend to provide services related to voluntary assisted dying.

### Additional information and support

The Western Australian Voluntary Assisted Dying Statewide Care Navigator Service has been specifically established to support anyone involved in voluntary assisted dying in WA. This includes health professionals and service providers, such as interpreters. The Care Navigators that staff the service can be contacted by email and phone during standard work hours (8:30am – 5:00pm).

Email: [VADcarenavigator@health.wa.gov.au](mailto:VADcarenavigator@health.wa.gov.au)

Phone: (08) 9431 2755

### Glossary of terms

Refer to *Accessing voluntary assisted dying in Western Australia – Glossary of terms* for explanations of key terms used within this information sheet.

#### Acknowledgement

Some content in this document is based on the resources of the Victorian Department of Health and Human Services and has been used with permission.

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