

# Polling - Voluntary assisted dying and the territories

*April 2021*

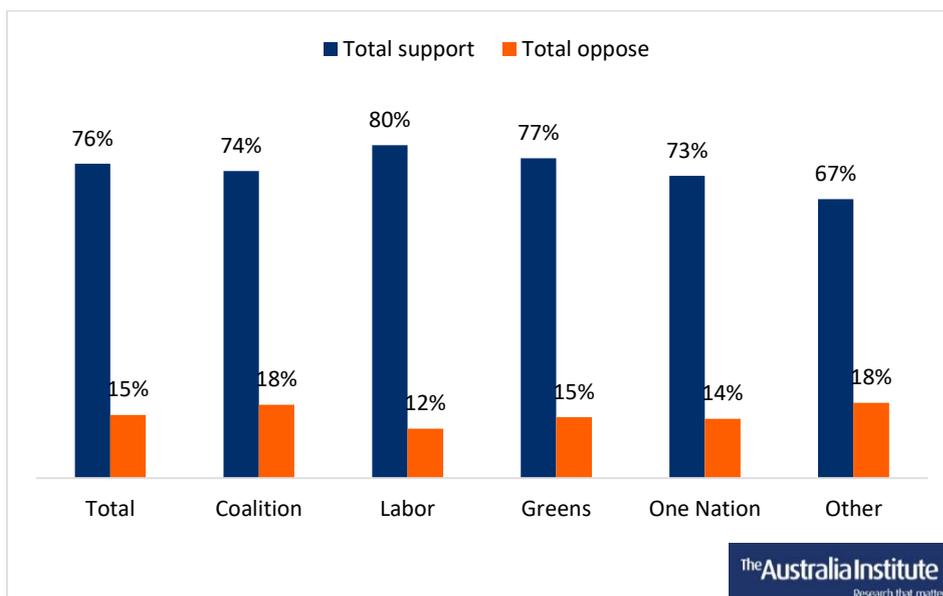
## Key results

The Australia Institute surveyed a nationally representative sample of 1,434 Australians about their attitudes to voluntary assisted dying (VAD).

Results show that most Australians support VAD with appropriate safeguards, and the rights of territories to legislate their own VAD laws.

- Three in four Australians (76%) agree with the principle that a person experiencing unrelievable suffering who asks to die should be allowed to receive the assistance of a doctor to do so.
- Among Australians living outside of Victoria, four in five (79%) support their own state or territory passing similar VAD laws to Victoria’s, which allows eligible Victorians to access a lethal drug to end their life at a time of their choosing.
- Four in five Victorians (83%) support the current VAD laws.
- Three in four Australians (76%) support the Commonwealth allowing territory governments to legalise VAD within their jurisdictions.

**Figure 1: Support for territories' right to legislate VAD laws, by voting intention**



## Territory restrictions context

In 1995, the Northern Territory legalised voluntary assisted dying, also known as voluntary euthanasia – making it the first jurisdiction in the world to do so. The laws came into force in mid-1996, around the same time that federal Liberal MP Kevin Andrews introduced a private member’s bill in the Commonwealth Parliament that would ban the territories from legislating for VAD.

The Andrews bill passed in 1997, about nine months after the NT laws came into force. In this time, four people had made use of the VAD laws to die of assisted suicide.<sup>1</sup>

No Australian jurisdiction legislated for VAD until Victoria in 2018; its new VAD law came into force in 2019. Western Australia followed suit in 2019, and its laws are expected to come into force in mid-2021. Tasmania voted to legalise euthanasia in March 2021, with an 18-month timeline for the laws to come into force.<sup>2</sup>

During the first six months of the Victorian scheme’s operation, 52 people made use of the VAD laws to die of assisted suicide, with no evidence any were coerced.<sup>3</sup>

There have been a number of attempts to have the territories’ ban on VAD laws lifted. Some of the most prominent or recent criticisms of the Andrews bill or attempts to have it repealed are:

- When the bill was proposed in 1996, members of the ACT Liberal Government were critical, as was the Legislative Assembly. Then Attorney-General Gary Humphries said that the federal government gave the ACT self-government to avoid having to take responsibility for difficult decisions and “In that light, to decide, more or less randomly, that they wish to take back certain powers or decisions to themselves, I think, is inconsistent”. Then Minister for Education and Training Bill Stefaniak was

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<sup>1</sup> Charles Darwin University (n.d.) *Northern Territory Euthanasia Collection*, <https://www.cdu.edu.au/library/collections/northern-territory-euthanasia-collection>; Roberts (2021) *Sharon says if voluntary euthanasia was legal in the NT, her mum wouldn’t have died alone*, <https://www.abc.net.au/news/2021-01-10/nt-voluntary-euthanasia-judy-dent-commonwealth-right-to-die/12820766>

<sup>2</sup> SBS News (2021) *Tasmania becomes the third Australian state to legalise voluntary assisted dying*, <https://www.sbs.com.au/news/tasmania-becomes-the-third-australian-state-to-legalise-voluntary-assisted-dying>; Victorian Department of Health & Human Services (n.d.) *Voluntary assisted dying*, <https://www2.health.vic.gov.au:443/hospitals-and-health-services/patient-care/end-of-life-care/voluntary-assisted-dying>; WA Department of Health (2021) *Voluntary assisted dying*, <https://www2.health.wa.gov.au/voluntaryassisteddying>

<sup>3</sup> SBS News (2020) *More than 50 people died under Victoria’s euthanasia scheme during its first six months*, <https://www.sbs.com.au/news/more-than-50-people-died-under-victoria-s-euthanasia-scheme-during-its-first-six-months>

also critical, on similar lines: “If this Bill gets up in the Federal Parliament it goes against what this Assembly was created for and what we are meant to do”.<sup>4</sup>

- In 2018, Liberal Democrat senator David Leyonhjelm’s bill to restore territory rights on VAD narrowly failed to pass the Senate on a conscience vote (34 votes to 36). The ACT Legislative Assembly rebuked the Senate for failing to pass the bill, with four Liberals voting with Labor and Greens MLAs in favour of the motion.<sup>5</sup>
- In 2018, ACT Chief Minister Andrew Barr and NT Deputy Chief Minister Nicole Manison moved a motion at Labor national conference to make repeal of the Andrews bill a binding vote for federal Labor parliamentarians. The motion was amended to encourage but not bind parliamentarians, and passed in that form.<sup>6</sup>

In 2021, the ACT and NT governments have renewed their approaches to the federal government on the VAD issue. In March 2021, members of the three parties represented in the ACT Legislative Assembly (Labor, Liberals and the Greens) co-signed a motion “call[ing] on the federal parliament to bring forward a bill to remove the law by the end of the year”.<sup>7</sup>

## VAD support across Australia

In the Australia Institute’s poll, respondents were first asked about the general principle: “If someone with a terminal illness who is experiencing unrelievable suffering asks to die, should a doctor be allowed to assist them to die?”

- Three in four Australians (76%) agree that a person with terminal illness experiencing unrelievable suffering should be allowed to receive a doctor’s assistance to die.
- One in 10 (12%) disagree with the principle, the same number who do not know or aren’t sure (12%).
- Agreement is similar across all age groups, with between 68 and 79% agreement.

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<sup>4</sup> Hansard of the Legislative Assembly for the ACT (1996) *1996 Week 11 Hansard (25 September)*, <http://www.hansard.act.gov.au/hansard/1996/week11/3410.htm>

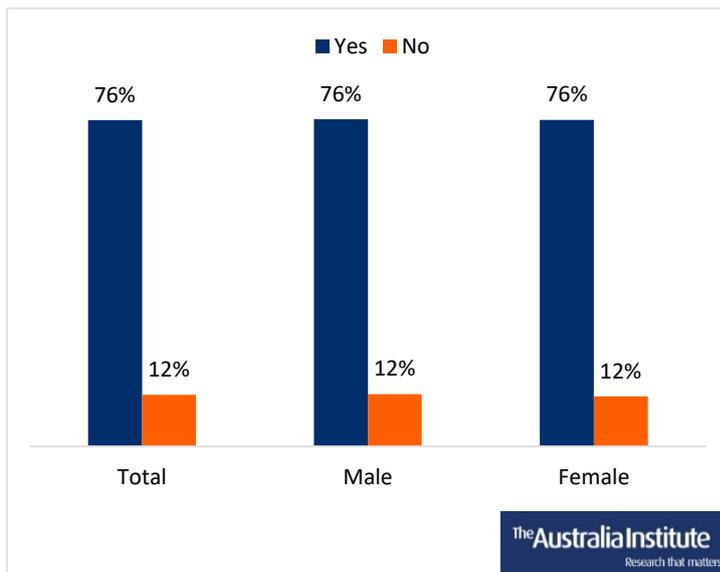
<sup>5</sup> McCauley (2018) *Leyonhjelm’s assisted suicide bill narrowly defeated in Senate*, <https://www.smh.com.au/politics/federal/leyonhjelm-s-assisted-suicide-bill-narrowly-defeated-in-senate-20180815-p4zxp.html>; White (2021) *Canberra Liberals under pressure to lobby for euthanasia rights*, <https://www.canberratimes.com.au/story/7093692/canberra-liberals-under-pressure-to-lobby-for-euthanasia-rights/>

<sup>6</sup> Burgess (2018) *No binding vote to help restore territory voting rights on euthanasia*, <https://www.canberratimes.com.au/story/5997800/no-binding-vote-to-help-restore-territory-voting-rights-on-euthanasia/>; McIlroy (2018) *Labor conference to debate binding territories voluntary euthanasia plan*, <https://www.afr.com/politics/labor-conference-to-debate-binding-territories-voluntary-euthanasia-plan-20181214-h193za>

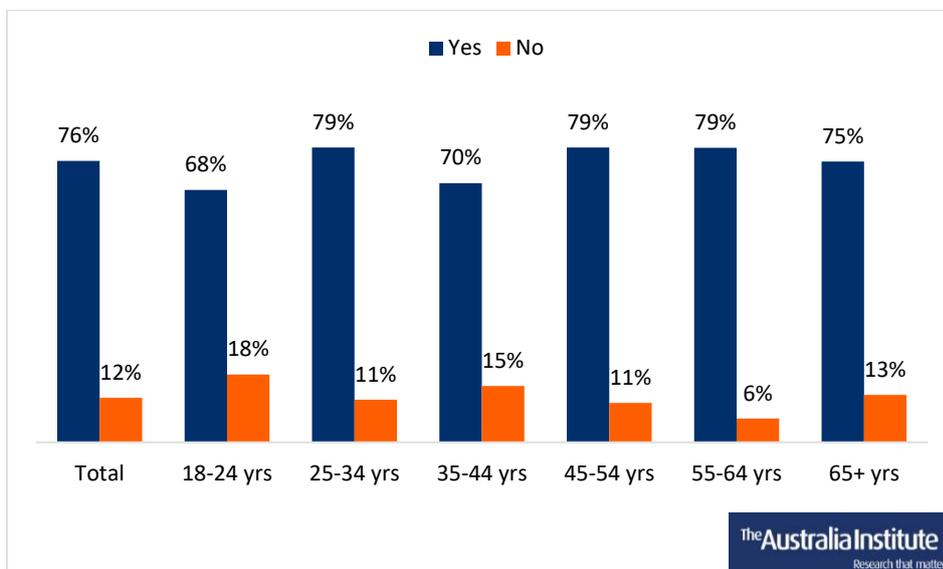
<sup>7</sup> Bladen (2021) *ACT government prepared to take euthanasia rights to the UN*, <https://www.canberratimes.com.au/story/7191211/its-not-off-the-table-cheyne-flags-un-if-feds-wont-let-act-make-euthanasia-laws/>

- Across all voting intentions, between seven in 10 and eight in 10 (71–80%) agree with the principle that doctors should be allowed to assist terminally ill people experiencing unrelievable suffering to die.
- There has been little change in support for VAD since Australia Institute polls in 2010 and 2012 which found that 71–75% of Australians support the legalisation of voluntary euthanasia/VAD.<sup>8</sup>

**Figure 2: Support for the principle of voluntary assisted dying, by gender**



**Figure 3: Support for the principle of voluntary assisted dying, by age group**

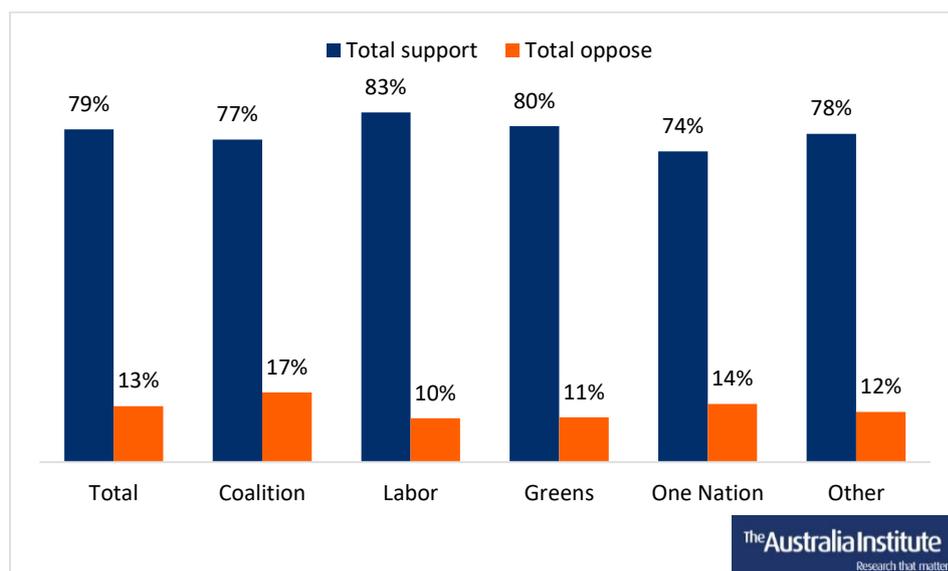


<sup>8</sup> The Australia Institute (2011) *Survey results - attitudes to voluntary euthanasia*, <https://australiainstitute.org.au/post/survey-results-attitudes-to-voluntary-euthanasia/>; (2012) *New survey shows majority support for euthanasia*, <https://australiainstitute.org.au/report/new-survey-shows-majority-support-for-euthanasia/>

Respondents were then told about the specific VAD laws adopted by Victoria, which gives adult patients suffering intolerable pain and already dying of a terminal illness to access a lethal drug which they can use to end their life at a time of their choosing, and asked if they would support their own state adopting similar laws.<sup>9</sup>

- Support for this specific proposal was somewhat higher than in-principle support for VAD, with four in five Australians outside of Victoria (79%) supporting their state adopting similar VAD laws to Victoria.
  - Almost half of Australians outside of Victoria (49%) strongly support their state adopting similar VAD laws to Victoria.
  - Only 13% oppose their state adopting similar VAD laws to Victoria, including 6% strongly opposed.
- Victorians were asked a similar question, whether they support the existing VAD laws. Four in five (83%) support the laws, including half (52%) who strongly support the laws – the highest result for any large state.

**Figure 4: Support for similar VAD laws to Victoria, by voting intention**



It is notable that marginally more Australians support the specific Victorian laws than the general principle that doctors should be allowed to assist terminally ill people experiencing unrelievable suffering to die (79% vs 76%). The difference is due to a lower rate of “Don’t know / Not sure” answers, which may indicate that respondents felt more comfortable supporting a specific policy that they could evaluate, rather than a general principle.

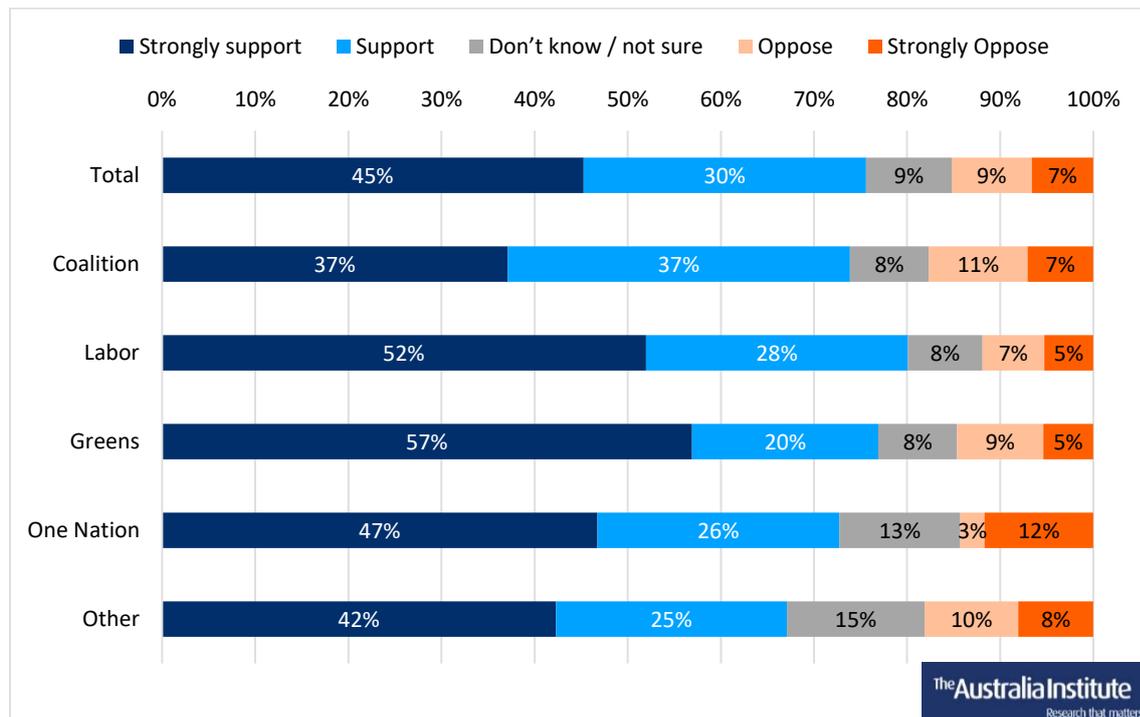
<sup>9</sup> While Western Australia passed VAD laws in 2019, they are only expected to come into force in mid-2021, so WA residents were asked the same question as other Australians outside of Victoria.

## Support for territories’ right to legislate VAD laws

Respondents were then told that Commonwealth legislation bans the Australian Capital Territory and Northern Territory from legalising the medical provision of VAD to terminally ill people. Respondents were asked if they supported or opposed the Commonwealth allowing territory governments to legalise VAD within their jurisdictions.

- Three in four Australians (76%) support the Commonwealth allowing territory governments to legalise VAD within their jurisdictions, including 45% who strongly support the proposal.
- Support is high among voters of all parties, with 74% of Coalition, 80% of Labor, 77% of Greens and 73% of One Nation voters in support.
- Support is somewhat lower among Independent/Other voters, although even there two in three (67%) support the proposal with only 18% opposed.

**Figure 5: Support for territories' right to legislate VAD laws, by voting intention**



## Method

The Australia Institute conducted a national survey of 1,434 people between 9 and 22 February 2021, online through Dynata with nationally representative samples by gender, age and state and territory.

The margin of error (95% confidence level) for the national results is 2.6%.

Results are shown only for larger states.

Voting crosstabs show voting intentions for the House of Representatives. Those who were undecided were asked which way they were leaning; these leanings are included in voting intention crosstabs. “Coalition” includes separate responses for Liberal and National. “Other” includes Centre Alliance, Jacqui Lambie Network and Independent/Other.

## Detailed results

This question is about voluntary euthanasia. If someone with a terminal illness who is experiencing unrelievable suffering asks to die, should a doctor be allowed to assist them to die?

	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>NSW</i>	<i>VIC</i>	<i>QLD</i>	<i>WA</i>
<b>Yes</b>	76%	76%	76%	71%	78%	79%	77%
<b>No</b>	12%	12%	12%	15%	10%	11%	8%
<b>Don't know / Not sure</b>	12%	12%	13%	14%	12%	10%	15%

	<i>Total</i>	<i>Coalition</i>	<i>Labor</i>	<i>Greens</i>	<i>One Nation</i>	<i>Other</i>
<b>Yes</b>	76%	71%	79%	80%	78%	75%
<b>No</b>	12%	16%	9%	10%	12%	9%
<b>Don't know / Not sure</b>	12%	14%	11%	10%	10%	15%

Voluntary assisted dying became legal in Victoria in 2019, allowing adult patients suffering intolerable pain and already dying of a terminal illness to access a lethal drug which they can use to end their life at a time of their choosing.

Do you support or oppose [your state] passing similar laws to legalise voluntary assisted dying?

*Australians not living in Victoria:*

	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>NSW</i>	<i>VIC</i>	<i>QLD</i>	<i>WA</i>
<b>Strongly support</b>	49%	49%	49%	44%	NA	53%	55%
<b>Support</b>	30%	30%	30%	31%	NA	32%	27%
<b>Oppose</b>	7%	8%	6%	9%	NA	6%	7%
<b>Strongly oppose</b>	6%	5%	7%	6%	NA	4%	2%
<b>Don't know / Not sure</b>	8%	7%	8%	9%	NA	5%	8%

	<i>Total</i>	<i>Coalition</i>	<i>Labor</i>	<i>Greens</i>	<i>One Nation</i>	<i>Other</i>
<b>Strongly support</b>	49%	42%	56%	57%	52%	49%
<b>Support</b>	30%	35%	27%	22%	22%	29%
<b>Oppose</b>	7%	10%	5%	7%	3%	6%
<b>Strongly oppose</b>	6%	6%	5%	3%	11%	6%
<b>Don't know / Not sure</b>	8%	7%	7%	10%	12%	10%

Voluntary assisted dying became legal in Victoria in 2019, allowing adult patients suffering intolerable pain and already dying of a terminal illness to access a lethal drug which they can use to end their life at a time of their choosing.

Do you support or oppose these laws?

*Victorians only:*

	<i>Total</i>	<i>Male</i>	<i>Female</i>
<b>Strongly support</b>	52%	49%	56%
<b>Support</b>	30%	33%	27%
<b>Oppose</b>	4%	5%	4%
<b>Strongly oppose</b>	4%	5%	4%
<b>Don't know / Not sure</b>	9%	9%	9%

In the past the governments of both the Australian Capital Territory and Northern Territory have attempted to legalise medical provision of voluntary assisted dying to terminally ill people within their jurisdictions. This was blocked by Commonwealth legislation, which banned the Territories from doing so.

Voluntary assisted dying is illegal in most states, but became legal in Victoria in 2019.

Do you support or oppose the Commonwealth allowing Territory governments to legalise voluntary assisted dying within their jurisdictions?

	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>NSW</i>	<i>VIC</i>	<i>QLD</i>	<i>WA</i>
<b>Strongly support</b>	45%	45%	45%	41%	46%	49%	50%
<b>Support</b>	30%	30%	30%	32%	29%	32%	26%
<b>Oppose</b>	9%	9%	8%	10%	9%	8%	9%
<b>Strongly Oppose</b>	7%	7%	7%	8%	5%	4%	4%
<b>Don't know / not sure</b>	9%	9%	10%	9%	11%	7%	12%

	<i>Total</i>	<i>Coalition</i>	<i>Labor</i>	<i>Greens</i>	<i>One Nation</i>	<i>Other</i>
<b>Strongly support</b>	45%	37%	52%	57%	47%	42%
<b>Support</b>	30%	37%	28%	20%	26%	25%
<b>Oppose</b>	9%	11%	7%	9%	3%	10%
<b>Strongly Oppose</b>	7%	7%	5%	5%	12%	8%
<b>Don't know / not sure</b>	9%	8%	8%	8%	13%	15%