

House of Representatives

Supplementary Order Paper

Wednesday, 21 August 2019

End of Life Choice Bill

Proposed amendment to SOP No 259

Hon Maggie Barry, in Committee, to move the following amendment:

New clause 18C

After clause 18B (page 17), insert:

18C Register of cases of elder abuse in relation to assisted dying

- (1) The Minister of Justice must establish a Register of Cases of Elder Abuse in Relation to Assisted Dying (**the Register**), which is to be administered by the Ministry of Justice.
- (2) The Register is a record of all cases where—
 - (a) a request has been made under **section 8**; and
 - (b) the attending medical practitioner or independent medical practitioner has found the individual requesting assisted dying to be a victim of coercion or other form of elder abuse.
- (3) The Register is to be established and maintained by a Registrar, and must record the following:
 - (a) the details of any individual who—
 - (i) requested assisted dying; and
 - (ii) has been found by the attending medical practitioner or independent medical practitioner to be a victim of coercion or other form of elder abuse; and
 - (b) the location in which the request made under **section 8** occurred; and
 - (c) the ethnicity, sex, and age of the individual who requested assisted dying; and

- (d) if it occurred, the location of their death, where that death was as a result of assisted dying under **section 16**.

Explanatory note

This Supplementary Order Paper amends the End of Life Choice Bill to establish a register for cases of assisted dying or requested assisted dying, where coercion or elder abuse has been found to be a factor.

This register would ensure the Ministry of Justice has current and comprehensive data regarding cases of elder abuse, specifically with regard to the age, sex, and ethnicity of the individual, as well as geographic location of both the location of request and, if it occurred, the death by assisted suicide as prescribed by this Bill. The New Zealand Longitudinal Study of Ageing found that elder abuse was prevalent for at least 1 in 10 participants aged 65 years and over, and concluded that “Elder abuse is pervasive in New Zealand”.¹ Without proper protections, there will be cases of elder abuse to those covered by this Bill, and they will potentially be coerced into a decision regarding requesting assisted suicide, or otherwise seek assisted suicide as a result of abuse they have suffered.

This registry ensures that information is available on these cases, and can outline trends in the data that can highlight areas of concern for the Minister.

¹ *Measuring Elder Abuse in New Zealand: Findings from the New Zealand Longitudinal Study of Ageing* (NZLSA). “The study demonstrated that elder abuse, as measured by VASS, was prevalent for at least 1 in 10 participants aged 65 years and over on each of the four sub-scales. Items concerning psychological abuse were more frequent than those associated with coercion and physical abuse.”