Voluntary assisted dying in Western Australia

Information for interpreters

Summary
This information sheet provides an overview of the role that interpreters will have in the voluntary assisted dying process in Western Australia (WA) when voluntary assisted dying becomes a legal option for eligible Western Australians from 1 July 2021.

Key points include:

* Voluntary assisted dying is designed to be accessible to all eligible Western Australians including those from non-English speaking backgrounds and those that require interpreter services.
* The legislation in WA requires that interpreters used during the voluntary assisted dying process be accredited.
* Accredited interpreters are those who hold a credential issued under the NAATI (National Accreditation Authority for Translators and Interpreters) certification scheme.
* Accredited 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 accredited interpreter is not obliged to provide interpreter services for a person who is accessing voluntary assisted dying.

Use of interpreters in the voluntary assisted dying process
From 1 July 2021, voluntary assisted dying will be an option for eligible Western Australians, including those from non-English speaking backgrounds and those that 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. This type of assistance is not considered appropriate in the case of voluntary assisted dying and is not allowed under the law. Any person accessing voluntary assisted dying who requires interpreter services must be provided with an accredited 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, you must not:

* Be a family member of the person, or
* Know or believe you are a beneficiary under a will of the person or will benefit financially or in any other material way from the death of the person, or
- Be an owner or responsible for the day-to-day management of the health facility where the person is being treated or lives, or
- Be a person directly involved in providing health services or professional care services to the person seeking voluntary assisted dying.

**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 person'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 be I be required to provide?**

If you agree to provide written or sight translation services to assist a person 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 accreditation details to the Coordinating Practitioner (the medical practitioner who is coordinating the voluntary assisted dying process for the person). These details will be included in the Voluntary Assisted Dying Board information management system 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 person 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 before the legislation commences on 1 July 2021, so you can decide if you intend to provide services related to voluntary assisted dying.

**Additional information and support**

The Statewide VAD 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 will be available to assist you prior to the commencement of the legislation. They will be able to assist patients and members of the community from 1 July 2021.

**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.