



**ACT HUMAN RIGHTS
COMMISSION**
Australian Capital Territory

Ms Jeanne Arthur
President
Dying with Dignity ACT
PO Box 55
Waramanga ACT 2611

Dear Ms Arthur

I refer to your letters, most recently of 5 March 2013, regarding Dying with Dignity ACT. Thank you for raising with us your concerns with the current ACT law and your analysis of the human rights implications.

Unfortunately, it doesn't appear we have the resources or jurisdiction to assist. We note in particular that s.23 of the *Australian Capital Territory (Self-Government) Act 1988* prevents the ACT Legislative Assembly from making laws in respect of euthanasia.

Our jurisdiction is limited to matters falling within ACT law. The ACT *Human Rights Act 2004* and *Human Rights Commission Act 2005* do not apply to the Self-Government Act. We note your arguments regarding the human rights compatibility of the current ACT *Crimes Act 1900*, however it seems any amendments would be reliant on amendments made at the Federal level.

Nonetheless, we have noted the issues you have raised, and if resources become available, will consider undertaking our own analysis of the human rights implications of the current legislative regime.

Thank you again for raising these matters with us.

Yours sincerely

Helen Watchirs
Human Rights and Discrimination Commissioner

Mary Durkin
Health Services Commissioner

26 March 2013