

# Office for Prisoner Health and Wellbeing

## Statement on the provision of end of life care for people in prison and in the community corrections system

Queensland Health and Queensland Corrective Services are committed to helping you live as well as you can, for as long as you can. We work together to provide people in prison, and those subject to a community corrections order that are nearing the end of their life, the highest quality of care and support.

We recognise that deprivation of liberty and court orders can create challenges in assisting a person to meet their care and support needs and to maintain relationships with family and friends as they near the end of life.

We are committed to working with you and your support people as you near the end of your life to:

- Provide care and support equivalent to that which is available in the wider community
- Co-ordinate care across the hospital, community and prison health care systems
- Respect your care and support choices with compassion
- Support and communicate with you, and the people who are important to you openly and honestly regarding your support needs, treatment options, diagnosis, prognosis, and care
- Provide emotional, spiritual and cultural support in line with your wishes
- Support your family and friends, both as you approach the end of your life and in their bereavement.

### Healthcare rights while in custody

People in custody have the same healthcare rights as people in the general community. Queensland Corrective Services assists Queensland Health to provide healthcare in accordance with international, national and state obligations regarding provision of healthcare for people in custody.

Queensland Health (QH) is responsible for providing health services for people in all correctional facilities in Queensland. These services include primary health care, specialist outpatient, mental health, oral health, and in-patient services.

### What is palliative care?

Palliative care is healthcare that focuses on improving the quality of life and quality of care for people with a life-limiting illness and supporting their friends and family. It is important to note that palliative care can be provided in any location including, a hospital, a hospice, in the community or in a correctional facility. As such palliative care is an approach to care rather than a location of care.

It includes:

- the prevention and relief of suffering
- communication about your goals of care
- the early identification, assessment and treatment of physical, psychological, emotional, social and spiritual symptoms.

Palliative care does not aim to slow down or speed up the dying process. Rather, it helps people live as actively as possible until death by enhancing their quality of life. You do not need to stop other treatment while receiving palliative care, but you can choose to if you wish.

### How is palliative care or end of life care provided in prison?

Queensland Health through its prison health services, or your doctor, will work with you and your support people regarding your needs and wishes. Depending on the nature of your needs you may be referred to specialist palliative care services or other hospital services for one or more of the following reasons:

- Symptom management – assessment, monitoring and nursing care to manage symptoms such as complex pain and nausea
- Complex needs – your medical or other needs may become more complex and specialist care is more

- easily available 24 hours a day in hospital
- As the end of life approaches – it may no longer be possible to give you the support and care that you need in prison or in the community and you may need to be cared for in a hospital specialist unit.

Queensland Health and Queensland Corrective Services will work with you to implement a plan of care and support that responds to your needs and wishes.

### **Substitute decision-makers**

A substitute decision-maker is a person permitted under the law to make decisions on your behalf if you do not have capacity. You may choose to have more than one substitute decision-maker. The decisions made on behalf of a person by their substitute decision-maker(s) can be about personal (including health) decisions or financial matters.

You should discuss your values and wishes with your nominated substitute decision-maker(s). They must understand and respect your choices so they can represent your best interests and what you would want if your capacity to make decisions is impaired.

If you have not appointed a substitute decision-maker(s) and your capacity is impaired, the law automatically grants power to somebody to make health decisions for you. This may be your spouse or de facto partner (if the relationship is close and continuing); a person responsible for your primary care; or a close friend or relative over the age of 18; or the Public Guardian. A paid carer cannot be your substitute decision-maker.

### **Advance care planning**

Advance care planning is a routine part of a person's health care. It is the process of making what's important to you clear in case you cannot make or communicate decisions about your treatment and care in future. It is important to carry out advance care planning before an urgent issue arises and particularly if you are diagnosed with a life-limiting illness.

Ideally, advance care planning will result in your preferences being documented. You may choose to document your preferences in the following ways:

- A Statement of Choices (a non-legally binding document which records your wishes and choices for health care into the future for use of your substitute decision-maker(s) and clinicians if you are unable to communicate choices)
- An Advance Health Directive (a legally-binding document that states your instructions for health care in specific circumstances and can be used to appoint a substitute decision-maker)
- An Enduring Power of Attorney (a legally-binding document that can appoint one or more person(s) to make personal, health and/or financial decisions on your behalf)

The benefits of planning ahead include:

- helps to ensure your wishes are respected
- means your views about what you would or would not like to happen to you can be stated and respected (for example, you may want to identify where you would like to die, or you may want to refuse certain medical treatments)
- provides an opportunity to discuss and resolve any outstanding issues with your substitute decision-maker(s), carers, family and friends
- gives you, your carers, family, friends and healthcare providers peace of mind when everyone is clear on your choices
- can support your substitute decision-maker(s), carers, family and healthcare providers to make decisions on your behalf in a crisis.

Queensland Health and Queensland Corrective Services staff can assist in providing access to information and documents to assist you with advance care planning and to identify substitute decision maker(s). It is important to identify or formally appoint substitute decision maker(s) who can make decision on your behalf should you lose the capacity to make decisions for yourself.

### **Resources**

[Advance care planning | Health and wellbeing | Queensland Government \(www.qld.gov.au\)](http://www.qld.gov.au/health-and-wellbeing/advance-care-planning)  
[Making decisions for others as a guardian or administrator | Your rights, crime and the law | Queensland Government \(www.qld.gov.au\)](http://www.qld.gov.au/your-rights/crime-and-the-law/making-decisions-for-others-as-a-guardian-or-administrator)  
[My Care, My Choices Advance Care Planning](#)