

Submission to Health and Environment Committee Proposed *Voluntary Assisted Dying Bill 2021*

I thank the Health and Environment Committee for the opportunity to comment on the proposed *Voluntary Assisted Dying Bill 2021*.

I have serious concerns about this proposed legislation.

Rather than simply responding in the ‘abstract’, I would like to respond to aspects of the proposed legislation in the context of an individual – namely my mother (whom I will call ‘R’, to preserve a degree of anonymity).

R is currently in her early 80s. She does not have a medical condition that is likely to result in her death within the next twelve months, although she does have a number of chronic medical conditions, mainly associated with her diabetes. However, R has been a fearful person throughout her whole life, and always views situations in the most negative light. This negativity has been magnified since the death of her husband – my step-father, whom I will call ‘A’ – at the end of 2016. A had been R’s ever-present protector and comforter, and since his death, R has been in a state of profound grief. She continues to cycle into extended periods of deep depression. She refuses to take any prescribed medication to ease her depression, and frequently states: “I just want to die!” She has no cognitive impairment and does not display any signs of dementia. Her ‘request’ to have her life ended could easily be understood as a rational response to the unbearable – as she perceives it – suffering of the physical pain associated with sciatica, the physical discomfort of attempting to manage her diabetes, and the psychological fears of every aspect of living. R currently lives in a residential aged care facility, where she continually complains about the standard of the food, the quality of the service, and the behaviours of fellow residents – all perceived in the most negative light – and this environment simply compounds her depression and increases her sense of urgently wanting to escape life.

I do understand that the proposed *Voluntary Assisted Dying Bill 2021* specifies that assisted dying would only be available to individuals who are in a state of unbearable suffering and who have a prognosis of twelve months (or less) as they proceed through a terminal medical condition. However, I am concerned that, in other jurisdictions where euthanasia / VAD / MAiD has been legalised, there has been a continual relaxation of the criteria to allow an ever-widening cohort of persons to access the ‘service’. Recently in Canada, the Courts ruled that the Government had to expand access to MAiD to include certain persons who did not have a terminal medical condition, because, in effect, it was discriminatory to provide a ‘service’ to one group of people while denying others access to the same ‘service’. I am deeply concerned that, if the *Voluntary Assisted Dying Bill 2021* were enacted in Queensland and the concept of treating suffering by arranging to kill the sufferer was accepted as normative, it would only be a matter of time before the government would be required to expand the terms to allow people with unbearable psychological suffering to access VAD. If that were to occur, my mother would become a prime candidate to have her life ended.

I also understand that the proposed *Voluntary Assisted Dying Bill 2021* does not require persons to be assessed by a mental health expert such as a psychiatrist, before accessing VAD. The data from other jurisdictions where euthanasia is legalised indicates that mental

anguish and depression are often the primary conditions that lead to requests to access VAD ‘services’. My mother has never been seen by a psychiatrist. She was referred by her GP to a psychologist in 2017, went for one consultation, and refused to go back for further consultations. However, it seems to me that she is depressed and easily allows the circumstances of life to cause her mental anguish. She has an excellent memory, but she chooses to remember the insults and hurts – whether actual or perceived – rather than the good things of life; all these compound her sense of displeasure at life and her desire to end the unbearable suffering of living (as she considers it). If the *Voluntary Assisted Dying Bill 2021* were enacted in its present form, without any requirement for persons to be assessed by a mental health expert, people like my mother would be seeking to access VAD.

I also understand that the proposed *Voluntary Assisted Dying Bill 2021* would allow medical professionals to raise the matter of accessing VAD ‘services’ with patients in the context of discussing end-of-life issues. I think that this would be extremely dangerous – to put thoughts into the mind of a vulnerable and distressed person who has received a diagnosis of a life-threatening medical condition that one easy solution to their situation would be VAD. I am certain that my mother – in such a situation – would immediately ask for her life to be ended. She would think that an immediate death would be a means of relieving her fears and avoiding the discomfort of end-of-life.

I understand that your Committee is considering how safeguards might be established to ensure that vulnerable persons are protected from coercion and exploitation. I think it would be very difficult to safeguard against so-called ‘inheritance impatience’, and even more difficult to safeguard against the aged and vulnerable individual from coming to a conclusion themselves that they are a burden on family (and society as a whole). In my mother’s case, she already thinks that she is a burden to me and to the staff at the residential aged care facility where she lives. I have pointed out that she – out of love – cared for me when I was a baby, and that I – out of love – care for her in her advanced years. I have told her that a truly civilised and compassionate society cares for those who are suffering and vulnerable and disabled, rather than just killing them off. However, she does not seem to grasp this truth, and if she could access VAD ‘services’, she would readily seek to have her life ended and allow her estate – of more than \$1,500,000 – to pass to myself and my daughter. She would think that she would be doing us a ‘favour’ by releasing us from the burden of caring for her.

I am aware that the British Government has considered legalising euthanasia in the United Kingdom on six occasions between 1997 and 2016. On each occasion, after thorough consultation and consideration, the Government concluded that it would be impossible to ensure that every instance of euthanasia would be entirely voluntary and that vulnerable people would not feel like they had a ‘duty to die’. My mother was born in England and lived there throughout World War II. It would be appalling if she were to be allowed to have her life ended here in Queensland through accessing VAD at some point in the near future.

I request that the Health and Environment Committee recommend to the State Government not to enact the *Voluntary Assisted Dying Bill 2021*.

Brian John Robertson

