



Speech by

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MEMBER FOR CAIRNS

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TRANSPLANTATION AND ANATOMY AMENDMENT BILL

Ms BOYLE (Cairns—ALP) (9.29 p.m.): I still stand by my congratulations to the honourable member for Thuringowa, Mr Turner, in terms of his intention in introducing this Bill. Indeed, I would be surprised if any member of this House did not support his purpose—to increase organ donation in Queensland. However, whether this Bill can accomplish that is what we are debating, not the member's goal.

I was struck, as I am sure were many other honourable members of this House, when this afternoon we had delivered to our desks in this House an article from a paper—and it is not annotated to tell us from which paper—about a Townsville lady who is badly in need of a kidney transplant. In that article, the lady supports Mr Turner's intention. She also supports the Bill in terms of having people record their willingness to donate organs on their driver's licences. In that article, the woman asked what is so hard if a person says, "Yes, I want to donate my organs." She did not see why it should be a problem. It is not a problem and if a person says, "Yes, I want to donate my organs", that is indeed a fine thing and it is something that the report from LCARC recommends—that we increase community awareness, that we encourage people through a variety of means, driver's licences included, to signal their willingness to donate their organs.

However, having committed oneself in some form to that willingness, that does not in fact make organ donation happen. That is where we would be leading this lady and those other thousands—maybe even hundreds of thousands—of Queenslanders who wish to see us in this Parliament take some positive action down the proverbial garden path. Simply signing a piece of paper does not make organ donation happen. Of course, the focus of signing on the line of a driver's licence implies that at this time the difficulty with organ donation rates in Queensland lies in the lack of permission. In fact, that is not the case. In order to increase the rate of organ donation, we need to do much more than simply increase the number of people giving permission to have their organs donated. If we are to increase the rate of organ donation in Queensland, I ask members to consider the other factors that are required in addition to permission. It is a fact, unpleasant as the details may be for some of us to consider, that the cause of one's death is relevant to whether or not one's body may be useful or some parts of one's body may be useful. The time at which one dies and the place in which one dies is important, as is the hospital one is in—if, indeed, one is in a hospital—whether one is in a home, whether one is in some strange place apart from medical facilities and medical help, or whether one is near the immediate expertise that is required at the time of one's death. Apart from the system being in place, there is also a requirement for medical and nursing expertise, and one's body being in a state that one's organs may be of benefit to others.

Of course, most of us then have, I am pleased to say, the nonetheless difficult circumstances of people who have loved us being present. Have honourable members of this House experienced watching the life of somebody they love drain away? For most of us, it is a shocking experience, particularly if it is a young person who is dying. Of course, younger people have more to donate than aged Australians. However, as relatives experience the death of a loved one, they are in doubt, they are frequently in denial and they do not want to face the fact that their loved one is dying. They want the doctors, the nurses, the system to somehow be heroic and in those last few seconds to find a way to snatch the person back from the brink of death. Already, some relatives are in grief; others are in anger looking for somebody to blame. In those dreadful, dreadful emotional states, it is appropriate that

those people are included in the process of deciding what should happen to the body of the person whom they have loved.

Therefore, already we have three factors that we need to work on if we are going to optimise organ donation in Queensland. Of course, added to that is the level of expertise that is required in dealing with our bodies as well as in dealing with relatives and the system of matching a suitable donor and transporting the organ to that donor in the right state. That entails a level of expertise in our intensivists medical and nursing professionals that we do not have easily on tap on every shift in every health facility or in every hospital throughout the State. That requires a level of education that we would aim to attain as years pass.

There are also the logistics of matching the donor and the organs available and of managing the geography of a widely dispersed State that is 2,000 kilometres long. Of course, members should keep in mind that our objective in Australia is to work nationally so that organs are, as they should be, available across the State borders of Australia. In that regard, there is also already a good working relationship with New Zealand.

In order to make the system work, a considerable level of expertise as well as logistics is required. Therefore, the concept of organ donation is far more complex than simply a person giving permission on a driver's licence. We in Australia are fortunate to have an organisation called Australians Donate that is already working towards developing a national database that, given a country of our size, small population and, mercifully, low death rate of relatively young and healthy people, will allow for as smooth logistics as possible.

Tonight, the overwhelming message that I hope to leave members of this House is that while it sounds simple—"Let us all give permission on our driver's licences"—that would be far from sufficient action to take to be effective in increasing the organ donation rate. We would be leading our constituents up the garden path in suggesting that just because we give this permission the organ donation system is in place and it will magically happen. In fact, it is the task for all honourable members of this House to find ways to do more than simply signal our permission. For the system to work better, for the number of organ donations to increase in Queensland, a whole series of steps are required to be taken—a whole staircase, as it were, must be climbed.

I return to the intention of the Bill. It is a fine intention. However, it is not a sufficient program to achieve its worthy objective. I note the wishful thinking of the honourable member opposite that we could all support the Bill and then add in as amendments all of these additional recommendations from the LCARC report. That would probably not be an appropriate procedural way to move. It would not be in line with previous rulings in this House to the effect that it is not appropriate to introduce amendments that are contrary to the intention and substance of the original Bill. If members looked closely at the recommendations, they would see in the very first recommendation a contrary notion, and that is that this Bill not be supported in its current form. If members looked closely at the other recommendations, they would note that there is work to be done in terms of amending other Acts. Amendments to this Bill cannot require amendments to other Acts. It is not so simple.

On the basis of the recommendations in LCARC's report, three portfolios will be required to respond to the honourable members of this House—the portfolios of Health, Transport and Attorney-General. It is appropriate that the respective Ministers of those portfolios take the time to tell us how the recommendations of the report can best be implemented. Therefore, although the intention of the honourable member for Burleigh is admirable, it is not possible for the honourable members of this House to support the Bill and then change the Bill by amendment.

Tonight, let us send the very clear message back to the people of Queensland, and to the lady in Townsville who is so desperate, that we are working as hard as we can to make the system better and to increase the rate of organ donations. However, we will not lie to the members of our consistencies. We will not tell them that by simply signing a permission slip, somehow the system will fall into place. We have much more work to do and I hope we will do it in a non-partisan way. I hope we will do it in as speedy a way as can be accomplished.
