



Speech by

**Mrs D. PRATT**

**MEMBER FOR BARAMBAH**

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Hansard 14 April 1999

### **TRANSPLANTATION AND ANATOMY AMENDMENT BILL**

**Mrs PRATT** (Barambah—IND) (10.35 p.m.): When someone dies it is a terrible loss, not only to the bereaved family but also to the community. When it is a young person it is even more tragic, and when it is avoidable it is devastating. However, the death of someone can result in the gift of life or restored health if that person's family does acknowledge and agree to the wishes of the deceased in the donation of organs. This knowledge and agreement by the potential donor's family may well result in the chance of a long life for another, someone who may have been on what those who are waiting call "death row" because one of their own organs is collapsing.

We have heard all the figures today. Since 1941 approximately 30,000 people have received organ or tissue transplants. At any one time, as the member for Cairns said, there are 3,000 people waiting for a transplant, and 2% of these are children. Because the demand for donor organs far outweighs supply, approximately 60 of those waiting will die.

We hear arguments for and against organ donation, but that is not what we are discussing tonight. We are discussing making the driver's licence setting out a person's wishes in relation to organ donation a legal document. We are discussing the expressed will of an individual and their right to have that expressed will carried out.

Deciding whether to donate organs is not something people do lightly, because organ donation is something we do when we die. We know that we must die and that is a very sobering thought. This decision is therefore usually made at a time of complete sobriety. At least I hope people are sober when they go to apply for a licence. At that time we have a little but not undue stress. We make the decision again at the time we renew our licences. It is a decision we can change at any time if we so wish. Usually it is a very positive, sober individual who puts a "yes" in the organ donor box.

On the other side of the coin we have a family at a time of greatest distress and heartache, having just lost a son, a husband, a mother or a father. To that grief-stricken family comes a doctor or nurse who is also under stress, perhaps for having just lost their patient and for being forced to convey the terrible news to the person's family and to ask whether the person's organs can be harvested. These are emotionally affected persons. The doctor knows that asking for permission to remove the organs will add further distress to the grieving family. This is no time to ask such a question. We all agree with that. In this emotionally charged time, no doctor should have to ask and no family member should have to be asked that question.

The decision on organ donation should be made carefully, soberly, at a time of calm, clear-headed thinking and with family consultation. We consider a person of 18 years old enough to have an input into the running of this country, old enough to be married, old enough to raise a family and old enough to make decisions which affect other people's lives. We are saying that it is all right for people to make decisions affecting other people's lives, yet here we are saying that it is not okay for people to make decisions affecting their own lives. We are saying that it is not enough to say at a time when we will never be more sober in our lives, "If I die, I want to donate my organs to help another."

We give medals to people who lose their lives in attempts to save another—something that is often done on instinct, with no time to think of the consequences. Yet here we are devaluing a person who thinks about it and wishes to save a life, knowing that only by their own death can that aim be

achieved. We devalue their selfless actions because we say that they do not realise the consequences of what they are doing.

Most people to whom I have spoken about this Bill over the past six or eight weeks were surprised to learn that a driver's licence is not a legal document; that their wishes on that document would not be taken seriously. What we are really saying here tonight is that it does not matter whether a donor may have made that decision with a cool, calm and collected mind, but it is all right, at a moment of great distress, to ask a grieving family to make what conceivably could be the most distressing decision that they have to make in their life—and having that decision taken as the right one.

It is at this time of decision—this emotionally distressed time—that the loved ones of the possible donor must choose whether or not one of those 3,000 or so people who may have only this one chance at life gets that chance to live. It is at this time that I ask each and every member of this House to see themselves as the individual who ticks that box on their driver's licence. I ask them to think about that and the intention behind the action of ticking that box; to see the joy of a family playing with a child who was attached to a dialysis machine for most of the week, feeling it as if it was their child; to see themselves as a distressed family member receiving the horrendous news; to ask themselves, as the pain of their loss cuts into them—and as they cling tightly to their children as they share the grief—could they, under those circumstances, make the decision clearly? Could they go through life never wondering whose life may have been lost because they were forced to make a decision at a time of emotional stress? I ask members to see themselves as the person in need of a transplant, knowing that their life depended on somebody's death; to feel the guilt of knowing the truth of that statement; to see themselves as the mother or father of a potential transplant recipient, with the honest and desperate emotional need to want their child to live.

There is only one person in this whole scenario who is emotionally stable enough to make the decision, and that person is the one who says "yes" in that organ donation box. Outside these walls tonight are tens of thousands of people who are watching and waiting for the papers in the morning, waiting to see whether their loved ones have a chance to get away from the connection of those tubes and machines—the loved ones who are fighting for every breath, or the loved ones of those who run fingers over another loved one's face to catch a smile. They are all silently praying, not for someone's death but for a chance at what we all take for granted: that one day they might see that person not have to fight for every breath, free from those machines; that one day they may wake to a promise of life, not the certainty of death. We can give them that chance. I know that there are a lot of precautions that have to be taken into consideration, but we have the power to give them that hope and that chance. They do not want us to feel sorry for them, because they do not need it. When members go home tonight or tomorrow and their loved one wraps their arms around them, I ask them to take a minute and think: who could be experiencing that same embrace of a loved one if we had passed this Bill tonight?

This Bill does need careful consideration, but lengthy delays will cost lives. There is no doubt about that. I ask members to proceed in the knowledge that, every day, this is costing a life; so they should keep that to the forefront of their thoughts. I have to say that, in all honesty, I am disappointed that this Bill has been delayed for so long. However, I am pleased that it will not be pushed aside and forgotten.

Finally, I wish to read something from Robert Test called To Remember Me—

"The day will come when my body will lie upon a white sheet neatly tucked under four corners of a mattress located in a hospital busily occupied with the living and the dying.

At a certain moment a doctor will determine that my brain has ceased to function and that, for all intents and purposes, my life has stopped.

When that happens, do not attempt to instil artificial life into my body by the use of a machine. And don't call this my deathbed.

Let it be called the Bed of Life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby's face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fibre and nerve in my body, and find a way to make a crippled child walk.

Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that some day, a speechless boy will shout at the crack of a bat, and a deaf girl will hear the sound of rain against the window.

Burn what is left of me and scatter the ashes to the winds to help the flowers grow.

If you must bury something, let it be my faults, my weaknesses and all prejudice against my fellow man.

Give my sins to the devil. Give my soul to God.

If, by chance, you wish to remember me, do it with a kind deed or word to someone who needs you.

If you do all I have asked, I will live forever."

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